

CHAPTER 60 - SPECIAL REQUIREMENTS

60.05 DESIGN REVIEW DESIGN PRINCIPLES, STANDARDS AND GUIDELINES [ORD 4332; November 2004]

60.05.05 Purpose. The following design principles, standards and guidelines shall be met by new development, and redevelopment where applicable, throughout the City in the following zoning districts:

1. Attached residential developments in the R-3.5, R-2 and R-1 zones and in planned unit developments in the R-10, R-7, R-5 and R-4 zones when attached residential developments are proposed,
2. Conditional uses in residential zoning districts where a new building or major remodeling of an existing building is proposed and public parks,
3. Development in multiple-use districts,
4. Commercial office, retail, and service developments, and
5. Industrial developments.

60.05.10. Design Principles. The following design principles are general statements to guide the development of the built environment, the appearance of that development, and the affect of that development to the existing surroundings. The design guidelines and standards implement these principles.

1. **Building Design and Orientation.** Design buildings that enhance the visual character of the community and take into account the surrounding neighborhoods, provide permanence, and create a sense of place. In residential, commercial and multiple-use districts, design buildings that contribute to a safe, high quality pedestrian-oriented streetscape.

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- 2. Multiple Use District Building Orientation and Design.** Locate buildings so they are conveniently and safely accessible from on-site and off-site sidewalks and streets, and so buildings near the edge of a right of way provide a high quality, pedestrian oriented streetscape, contribute to safety by offering “eyes on the street” and promote pedestrian safety and use. Provide a pedestrian-friendly environment through building and site design treatments that may vary in nature and degree depending on the character of the urban area, the characteristics of the street, and the type of use and development proposed.
- 3. Circulation and Parking Design.** Provide integrated multi-modal circulation and parking improvements that are safe and convenient, connect to surrounding neighborhoods and streets, and serve the needs of development.
- 4. Landscape, Open Space, and Natural Areas Design.** Create landscape areas that contribute to the aesthetics of the community, conserve, protect, enhance or restore natural features and the natural environment, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents, customers, employees, and the community. Whenever possible, utilize native vegetative species which are disease and drought tolerant.
- 5. Lighting Design.** Provide exterior lighting for buildings, parking lots, pedestrian pathways, vehicular areas, pedestrian plazas, public open spaces to ensure public safety and convenience, and to minimize excessive illumination on environmentally sensitive areas, adjoining properties, and streets.

60.05.15. Building Design and Orientation Standards. Unless otherwise noted, all standards apply in all zoning districts.

- 1. Building articulation and variety.**
 - A. Residential buildings in residential zones shall be limited in length to two hundred (200) feet.

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- B. Buildings visible from and within 200 feet of an adjacent public street except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts where elevations visible from and within 100 feet of an adjacent public street, and elevations that include a primary building entrance or multiple tenant entrances, excluding roofs, shall have a minimum portion of the elevation devoted to permanent architectural features designed to provide articulation and variety. These permanent features include, but are not limited to windows, bays and offsetting walls that extend at least eighteen inches (18”), recessed entrances, loading doors and bays, and changes in material types. Changes in material types shall have a minimum dimension of two feet and minimum area of 25 square feet. The percentage of the total square footage of elevation area is:
 - 1. Thirty (30) percent in residential zones, and all uses in multiple-use and commercial zones.
 - 2. Fifty (50) percent in commercial zones where glazing is less than thirty five (35) percent pursuant to Section 60.05.15.8.A.3.
 - 3. Fifteen (15) percent in industrial uses.
- C. The maximum spacing between permanent architectural features shall be no more than:
 - 1. Forty (40) feet in residential zones, and all uses in multiple-use, and commercial zones.
 - 2. Sixty (60) feet in industrial zones.

2. Roof forms.

- A. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.

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- B. Sloped roofs on residential uses in residential zones, and all uses in multiple-use and commercial zones, shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches.
 - C. All flat roofs with a slope of less than 4/12 pitch shall be architecturally treated or articulated with a parapet wall that must project vertically above the roof line at least twelve (12) inches.
 - D. When an addition to an existing structure or a new structure is proposed in an existing development, the roof forms for the new structures shall have similar slope and be constructed of the same materials as existing roofs.
 - E. Smaller feature roofs are not subject to the standards of this Section.
- 3. Primary building entrances.** Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.
- 4. Exterior building materials**
- A. For residential uses in residential districts, a minimum of seventy-five (75) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances shall be double wall construction.

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- B. For conditional uses in residential zones and all uses in multiple-use, commercial and industrial zones, except for manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities which is a principle use of the site in industrial zones, a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances may be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard. In the case of manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities which is a principle use of the site in industrial zones, this standard shall apply to the primary elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space. The remaining elevation area for all applicable uses in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment.
- C. For conditional uses in residential zones and all uses in multiple use and commercial districts, plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than three (3) feet above the finished grade level adjacent to the foundation wall, unless pigmented, textured, or both. In industrial districts, foundations may extend up to four (4) feet above the finished grade level.

5. Roof-mounted equipment.

- A. All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties in one of the following ways:
 - 1. A parapet wall; or
 - 2. A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or

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3. Setback from the street-facing elevation such that it is not visible from the public street(s).

B. The vertical measuring distance for required screening shall be measured at five (5) feet above the finished or existing grade of the abutting property or public right-of-way adjacent to the development site's front yard setback for a distance of one hundred (100) lineal feet measured outward from the development site's front property line. Once the vertical measuring distance is established for the site's front yard, this same vertical measuring distance shall be applied to all sides of the development site's perimeter property lines.

C. Solar panels, dishes/antennas, pipes, vents, and chimneys are exempt from this standard.

6. Building location and orientation along streets in Multiple Use and Commercial zoning districts.

A. Buildings in Multiple Use zones shall occupy a minimum public street frontage as follows:

1. 50 percent of the street frontage where a parcel abuts a Class 1 Major Pedestrian Route.

2. 35 percent of the street frontage where a parcel abuts a Class 2 Major Pedestrian Route.

B. Buildings in Commercial zones shall occupy a minimum of 35 percent public street frontage where a parcel exceeds 60,000 gross square feet. These buildings shall be located no further than 20 feet from the property line. The area between the building and property line shall be landscaped to standards found in Section 60.05.25.3.B or 60.05.25.3.C.

C. Buildings on corner lots of multiple Major Pedestrian Routes shall be located at the intersections of the Major Pedestrian Routes. Where a site has more than one corner on a Major Pedestrian Route, this requirement must be met at only one corner.

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- D. All buildings that abut a Class 1 Major Pedestrian Route shall have at least one primary building entrance oriented toward, or with a direct pedestrian connection to an abutting street or pedestrian way. Where there is more than one abutting Class 1 Major Pedestrian Route, the primary entrance shall have a reasonably direct pedestrian connection to a minimum of one abutting Class 1 Major Pedestrian Route or shall be oriented to a Class 1 Major Pedestrian Route corner. Pedestrian connections shall:
 - 1. Be no more than 100 feet long (between the building entrance and street), and
 - 2. Shall not cross vehicular circulation and parking areas.
- E. Secondary entrances may face on streets, off-street parking areas, or landscaped courtyards.

7. Building scale along Major Pedestrian Routes

- A. The height of any portion of a building at the property line as measured from the finished grade at the property line abutting a Major Pedestrian Route shall be a minimum of twenty- two (22) feet and a maximum of sixty (60) feet. The City shall authorize heights greater than sixty (60) feet if the portion of a building that is greater than sixty (60) feet in height is twenty (20) feet from the property line and the proposed height is consistent with Section 20.20.50. for the specific zoning district.
- B. The maximum heights specified in Section 20.20.50 shall not be exceeded, unless separately authorized through an adjustment or variance application.

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8. Ground floor elevations on commercial and multiple use buildings.

- A. Except those used exclusively for residential use, ground floor elevations visible from and within 200 feet of a public street, Major Pedestrian Route, or a public park, public plaza or other public open space, and elevations that include a primary building entrance or multiple tenant entrances, shall have the following minimum percent of the ground floor elevation area permanently treated with windows, display areas or glass doorway openings.
1. Class 1 Major Pedestrian Routes: Fifty (50) percent.
 2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.
 3. Buildings on parcels in excess of 25,000 gross square feet within a Commercial zoning district: Thirty-five (35) percent.

Less glazing may be provided in a commercial zoning district when increased building articulation and architectural variety is provided pursuant to Section 60.05.15.1.B.2 of this Code.

For the purpose of this standard, ground floor elevation area shall be measured from three (3) feet above grade to ten (10) feet above grade the entire width of the elevation. The ground floor elevation requirements shall be met from grade to twelve (12) feet above grade.

- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk shall provide weather protection to the following minimum percent of the length of the elevation.
1. Class 1 Major Pedestrian Routes: Fifty (50) percent.
 2. Class 2 Major Pedestrian Routes: Thirty-five (35) percent.

60.05.20. Circulation and Parking Design Standards. Unless otherwise noted, all standards apply in all zoning districts.

- 1. Connections to the public street system.** Connections shall be provided between the on-site circulation system and adjacent existing and planned streets as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element.
- 2. Loading areas, solid waste facilities and similar improvements.**
 - A. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, transformer and utility vaults and similar activities shall be located in an area not visible from a public street, or shall be fully screened from view from a public street.
 - B. Except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, all loading docks and loading zones shall be located in an area not visible from a public street, or shall be fully screened from view from a public street.
 - C. Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, transformer and utility vaults and similar activities shall be fully sight-obscuring, shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods:
 1. Solid screen wall constructed of primary exterior finish materials utilized on primary buildings,
 2. Solid hedge wall with a minimum ninety-five (95) percent opacity within two (2) years.
 3. Solid wood fence
 - D. Screening from public view by chain-link fence with or without slats is prohibited.
 - E. Screening of loading zones may be waived in commercial and multiple-use districts if the applicant demonstrates the type and size of loading vehicles will not detract from the project's aesthetic appearance and the timing of loading will not conflict with the hours or operations of the expected businesses.

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3. Pedestrian circulation.

- A. Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. Pedestrian connections shall be provided except when one or more of the following conditions exist:
1. Where physical or topographic conditions, such as a grade change of ten (10) feet or more at a property line to an adjacent pedestrian facility, make connections impractical,
 2. Where uses including manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts occur,
 3. Where on-site activities such as movement of trucks, forklifts, and other large equipment would present potential conflicts with pedestrians, or
 4. Where buildings or other existing development on adjacent lands physically preclude a connection now or in the future.
- B. A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.
- C. A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage or for every eight aisles of vehicle parking if parking is located between the building and the street. A reasonably direct walkway shall also be provided to any accessway abutting the site. This standard may be waived when topographic conditions, man-made features, natural areas, etc. preclude walkway extensions to adjacent properties.

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- D. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design.
- E. Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided, and shall be composed of a different paving material than the primary on-site paving material.
- F. Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance.
- G. Walkways shall be paved with scored concrete or modular paving materials.
- H. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply.

4. Street frontages and parking areas.

- A. Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards:
 - 1. A minimum five (5)-foot wide planting strip between the right-of-way and the parking area. Pedestrian walkways and vehicular driveways may cross the planting strip. Trees shall be planted at a minimum 2 1/2 inch caliper at a maximum of thirty (30) feet on center. Planting strips shall be planted with an evergreen hedge that will provide a 30-inch high screen and fifty (50) percent opacity within two years. The maximum height shall be maintained at no more than thirty-six (36) inches. Areas not covered by trees or hedge shall be landscaped with live ground cover. Bumper overhangs which intrude into the planting strip shall not impact required trees or hedge; or

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2. A solid wall or fence 30 to 36 inches in height parallel to and not nearer than four (4) feet from the right-of-way line. The area between the wall or fence and the street line shall be landscaped with live ground cover. Pedestrian walkways and vehicular driveways may cross the wall or fence.

5. Parking area landscaping.

- A. Landscaped planter islands shall be required according to the following:
 1. Residential uses in residential zones, one for every eight (8) contiguous parking spaces.
 2. All uses in multiple-use and commercial zones, one for every ten (10) contiguous parking spaces.
 3. All conditional uses in residential zones and industrial uses, one for every twelve (12) contiguous parking spaces.
- B. The island shall have a minimum area of 70 square feet, and a minimum width of 6 feet, and shall be curbed to protect landscaping. The landscaped island shall be planted with a tree having a minimum mature height of 20 feet. If a pole-mounted light is proposed to be installed within a landscaped planter island, and an applicant demonstrates that there is a physical conflict for siting the tree and the pole-mounted light together, the decision-making authority may waive the planting of the tree, provided that at least seventy-five (75) percent of the required islands contain trees. Landscaped planter islands shall be evenly spaced throughout the parking area.
- C. Linear raised sidewalks within the parking area connecting the parking spaces and on-site building(s) may be counted towards the total required number of landscaped islands, provided that all of the following is met:
 1. Trees are spaced a maximum of 30 feet on center on a minimum of one side of the sidewalk.
 2. The minimum unobstructed sidewalk width is five feet.
 3. The sidewalk is separated from the parking area by curbs, bollards, or other means on both sides.

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4. Trees are located in planting area with groundcover or planted in covered tree wells.
 5. Trees within the linear sidewalk area shall constitute no more than 50 percent of the total required number of trees within required landscaped planter islands. All remaining required trees shall be located within landscaped planter islands.
 - D. Trees planted within required landscaped planter islands or the linear sidewalk shall be of a type and species identified by the City of Beaverton Street Tree List or an alternative approved by the City Arborist.
- 6. Off-Street parking frontages in Multiple-Use Districts.** Off-street surface parking areas shall be located to the rear or side of buildings. Surface parking areas located adjacent to public streets are limited to a maximum of:
- A. 50% of the street frontage along Class 1 Major Pedestrian Routes, and
 - B. 65% along Class 2 Major Pedestrian Routes.
- 7. Sidewalks along streets and primary building elevations in Multiple-Use and Commercial Districts.**
- A. A sidewalk is required on all streets. The sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide.
 - B. A sidewalk is required along building elevations that include a primary building entrance, multiple tenant entrances or display windows. The sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide at building entrances, and along elevations containing display windows. Sidewalks shall be paved with scored concrete or modular paving materials. If adjacent to parking areas, the sidewalk shall be separated from the parking by a raised curb.

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8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts.

A. Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets, unless one of the following is met:

1. The parking lot drive aisle is less than 100 feet long;
2. The parking lot drive aisle serves 2 or less residential units; or
3. The parking lot drive aisle provides direct access to angled or perpendicular parking stalls.

B. Private streets shall meet the following standards:

1. Private streets serving non-residential uses and residential uses having five or more units shall have raised curbs and minimum five (5) foot wide unobstructed sidewalks on both sides.
2. Private streets serving less than five (5) units shall have raised curbs and a minimum five (5) foot wide unobstructed sidewalk on at least one side.

9. Ground floor uses in parking structures. Parking structures located on Major Pedestrian Routes shall incorporate one or more active retail or commercial uses other than parking at ground level along the entire portion of the structure fronting onto such routes. Compliance to this standard is not required when a semi-subterranean parking structure is proposed, provided that the height of such structures, or portions thereof, is not greater than three and one-half (3 1/2) feet above the elevation of the adjoining walkway or sidewalk.

60.05.25. Landscape, Open Space, and Natural Areas Design Standards.
Unless otherwise noted, all standards apply in all zoning districts.

1. Minimum Common Open Space Requirements for Multi-Family Development Consisting of ten (10) or more units.

- A. Common open space shall consist of active, passive, or both open space areas, and shall be provided as follows:
 - 1. One hundred fifty (150) square feet for each unit containing 500 or less square feet of gross floor area.
 - 2. Two hundred fifty (250) square feet for each unit containing more than 500 square feet and up to 1200 square feet of gross floor area.
 - 3. Three hundred fifty (350) square feet for each unit containing more than 1200 square feet of gross floor area.
- B. At least twenty-five (25) percent of the total required open space area shall be active open space.
- C. For the purposes of this Section, environmentally sensitive areas shall be counted towards the minimum common open space requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum common open space requirement.
- D. For the purposes of this Section, vehicular circulation areas and parking areas shall not be considered common open space.
- E. For the purposes of this section, individual exterior spaces such as outdoor patios and decks constructed to serve individual units shall not be considered common open space.
- F. Common open space shall not abut a collector or greater classified street as identified in the City's adopted Functional Classification Plan, unless that common open space shall be allowed adjacent to these street classifications where separated from the street by a constructed barrier at least three (3) feet in height.

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- G. Common open space shall be no smaller than 400 square feet in area, and shall have minimum length and width dimensions of 20 feet.
- H. In phased developments, common open space shall be provided in each phase of the development consistent with or exceeding the requirements for the size and number of dwelling units proposed.
- I. Active common open spaces shall be included in all developments, and shall include at least two (2) of the following improvements:
 - 1. A bench or other seating with a pathway or other pedestrian way;
 - 2. A water feature such as a fountain;
 - 3. A children's play structure;
 - 4. A gazebo;
 - 5. Clubhouse;
 - 6. Tennis courts
 - 7. An indoor or outdoor sports court; or
 - 8. An indoor or outdoor swimming and/or wading pool.
 - 9. Plaza
- J. The decision-making authority shall be authorized to consider other improvements in addition to those provided under subsection I, provided that these improvements provide a similar level of active common open space usage.

2. Minimum Landscaping Requirements for Required Front Yards and Required Common Open Space in Multiple Family Residential Zones

- A. All front yard areas in the R-3.5, R-2 and R-1 districts, and required common open space areas in the R-2 and R-1 districts not occupied by structures, walkways, driveways, plazas or parking spaces shall be landscaped.
- B. Landscaping shall include live plants or landscape features such as fountains, ponds or other landscape elements. Bare gravel, rock, bark and similar materials are not a substitute for plant cover, and shall be limited to no more than twenty-five (25) percent of the landscape area.

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- C. All street-facing elevations shall have landscaping along their foundation. When a porch obstructs a foundation, landscaping shall be installed along the outer edge of the porch. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, or for plazas adjacent to the building. The foundation landscaping shall meet the following minimum standards:
 - 1. The landscaped area shall be at least three (3) feet wide; and,
 - 2. For every three (3) lineal feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted; and,
 - 3. Groundcover plants shall be planted in the remainder of the landscaped area.

3. Minimum Landscaping Requirements for Conditional Uses in Residential Districts, and for Developments in Multiple-Use, Commercial and Industrial Districts

- A. A minimum portion of the total gross lot area shall be landscaped:
 - 1. Conditional uses in residential districts, and all uses in commercial and industrial districts, fifteen (15) percent;
 - 2. All uses in multiple-use districts, ten (10) percent.
 - 3. Environmentally sensitive areas shall be counted towards the minimum landscape requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum landscape requirement.
- B. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:

60.05.25.3.B.

1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.
 2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.
 3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.
- C. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25) percent of the minimum landscaping requirement for conditional uses in residential districts, and shall be comprised of the following:
1. Brick pavers, or stone, scored, or colored concrete; and,
 2. One (1) tree having a minimum mature height of twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,
 3. Street furniture including but not limited to benches, tables, and chairs; and,
 4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards; and,
 5. Trash receptacles.

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- D. All building elevations visible from and within 200 feet of a public street that do not have windows on the ground floor shall have landscaping along their foundation, which shall be counted toward the minimum landscaped requirement. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, for plazas adjacent to the building, or when the building is within three (3) feet of the property line. The foundation landscaping shall be at least five (5) feet wide; and shall be comprised of the following:
1. One (1) tree having a minimum planting height of six (6) feet shall be planted for every thirty (30) lineal feet of foundation.
 2. One (1) shrub having a minimum mature height of twenty-four (24) inches shall be planted for every three (3) lineal feet of foundation and shall be planted between required trees; and,
 3. Groundcover plants shall be planted in the remainder of the landscaped area not occupied by required trees and shrubs, and shall not be planted in rows, but in a staggered manner for more effective covering.
4. **Public Open Space.** When, public open space is proposed by an applicant, it shall be designed to provide passive open space, active open space or both for the enjoyment of the general public unless otherwise indicated in an open space master plan approved by the City, THPRD or other jurisdiction. For the purposes of this Section, public open space is defined as the portion of a site that is developed for use by the general public, but is not dedicated and is kept under the ownership and control of the private property owner. Passive open space is where human activities are limited to defined walking and seating areas. Active open space is where human activities include recreational and social opportunities such as play fields, playgrounds, swimming pools, plazas and other recreational facilities. Public open space may be improved for passive or active recreational uses, however, it shall not include environmentally sensitive areas such as a wetland, riparian area, or significant tree grove. Public open space may be counted towards the minimum landscape requirement, provided the following is met unless otherwise approved in an open space master plan:

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- A. The public open space is located at the perimeter of a parent parcel abutting public right-of-way; or,
- B. If not located at the perimeter of the parent parcel, the public open space shall be visible from the public right-of-way, and shall be accessible via a minimum five (5) foot wide pedestrian pathway.
- C. Pedestrian-scale lighting consistent with the City's Technical Lighting Standards shall be provided.

5. Retaining Walls. Retaining walls greater than six (6) feet in height or longer than fifty (50) lineal feet used in site landscaping or as an element of site design shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials, or any combination of the foregoing, and shall be incorporated into the overall landscape plan, or shall be screened by a landscape buffer. Materials used on retaining walls should be similar to materials used in other elements of the landscape plan or related buildings, or incorporate other landscape or decorative features exclusive of signs. If screening by a landscape buffer is utilized, a buffer width of at least five (5) feet is required, landscaped to the B3-High Screen Buffer standards.

6. Fences and Walls

- A. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock, or brick, or other durable materials.
- B. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slat may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.
- C. Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.

60.05.25.6.

- D. For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, the preceding standards apply when visible from and within 200 feet of a public street.
- E. Fences and walls:
 - 1. May not exceed three feet in height in a required front yard along streets and eight feet in all other locations;
 - 2. May be permitted up to six feet in a required front yard along designated collector and arterial streets.

7. Minimize significant changes to existing on-site surface contours at residential property lines.

- A. When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:
 - 1. 0 to 5 feet from property line. Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 - 2. More than 5 feet and up to and including 10 feet from property line. Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 - 3. More than 10 feet and up to and including 15 feet from property line. Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 - 4. More than 15 feet and up to and including 20 feet from property line. Maximum of eight (8) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 - 5. More than 20 feet and up to and including 25 feet from property line. Maximum of ten (10) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.

60.05.25.7.

- B. Notwithstanding the requirements of subsection A.1. above, grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified significant grove or tree, or an identified historic tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.
8. **Integrate water quality, quantity, or both facilities.** Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.
9. **Natural Areas.** Development on sites with City-adopted natural resource features such as streams, wetlands, and rock outcroppings, shall be preserved to maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by other City or CWS requirements.
10. **Landscape Buffering Requirements.** All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2 and the following standards. For purposes of this Section, a landscape buffer is required along the side and rear of properties between different zoning district designations. A landscape buffer is required for non-residential land uses and parks in residential zoning districts. Both buffering standards and side and rear building setback requirements shall be met. Only landscaping shall be allowed in the landscape buffer areas. Buffer areas and building setback standards are measured from the property line, they are not additive. Where a yard setback width is less than a landscape buffer width, the yard setback width applies to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. In addition, the buffer area and landscape standard are intended to be continuously applied along the property line, except as authorized under Section 60.05.25.4.
- A. **Applicability of Buffer Standards.**
1. The buffer standards shall not be applicable to individual single-family buildings on individual parcels.

60.05.25.10.A.1.

2. The buffer standards shall not apply to areas where emergency access is required.
3. The buffer standards shall not apply to areas where a public utility easement exists. This exemption only applies to trees and does not exempt the requirement of shrubs and ground cover.
4. The buffer standards shall not apply along property lines where a non-residential use is already buffered by a natural feature or an open space dedication, if such a natural buffer or dedication is at least 40 feet in width, or if the width of the natural feature or open space dedication and the density and quality of landscaping meet or exceed the applicable landscape buffer standard.

B. B1-Low Screen Buffer. This buffer is intended to provide a minimal amount of transitional screening between zones. This buffer consists of one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal feet of buffer width; and 2) live ground cover consisting of low-height plants, or shrubs, or grass proportionately spaced between the trees with actual spacing for low height plants or shrubs dependent upon the mature spread of the vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required buffer area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B1 buffer required for across the street.

C. B2-Medium Screen Buffer. This buffer is intended to provide a moderate degree of transitional screening between zones. This buffer consists of live ground cover consisting of low-height plants, or shrubs, or grass, and 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal feet of buffer width; 2) evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting planted proportionately between the required evergreen trees. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen

60.05.25.10.C.

shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B2 buffer required for across the street.

- D. B3-High Screen Buffer.** This buffer is intended to provide a high degree of visual screening between zones. This buffer consists of minimum six (6)-foot high fully sight obscuring fences or walls with an adjoining landscape area on the interior of the fence when the fence is proposed within three (3) feet of the property line. If the fence is proposed to be setback from the property line more than three feet, the landscaping shall be on the exterior of the fence within a landscape area a minimum of five (5) feet in width, with adequate provision of access and maintenance of the landscaped area. The height of the fence shall be measured from the property on which the fence is to be located, and, if located on a wall, shall be in addition to the height of the wall. The landscape area shall be planted with one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal feet of buffer width, filled between with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.
- E. Changes to Buffer Widths and Standards.** Required buffer widths and buffer standards are the minimum requirements for buffering and screening. Changes in buffer widths and standards shall be limited to the following:
1. A request for a reduction in buffer width when a B3 buffer standard is required shall be reviewed through the public hearing process;

60.05.25.10.E.

2. A request for a reduction in the buffer width when a B2 or B1 buffer standard is required and the applicant does not want to change the buffer standard, or when the reduction in buffer width is greater than five (5) feet, shall be reviewed through the public hearing process; and,
3. A request for a reduction in the buffer width when a B2 or B1 buffer standard is required and the reduction in buffer width is five (5) feet or less, shall be reviewed through administrative authorization provided that the next highest buffer standard is implemented.

Requests for changes in buffer widths and buffer standards shall only be authorized because of physical site constraints, or unique building or site design. An applicant shall be required to provide an adequate detailed written and plan demonstration of the physical site constraints or unique building or site design including, but not limited to, an enhanced site plan, or cross-section detail drawings, or manipulated aerial photography.

- F. Landscaping Buffering Installation.** All required buffering shall be installed prior to occupancy permit issuance.
- G. Pedestrian Plazas in Required Buffer Areas for Non-Residential Development.** For non-residential development in non-residential zoning districts, in which the building is proposed to be placed at the required front yard buffer line, concrete or brick pavers shall be authorized in place of required live groundcover, or bark, or grass, for the length of the building for the front yard only; provided that required trees are still installed, the paved area is connected to the public sidewalk, and pedestrian amenities including but not limited to benches or tables, are provided.

60.05.30. Lighting Design Standards. Unless otherwise noted, all standards apply in all zoning districts.

1. Adequate on-site lighting and minimize glare on adjoining properties.

- A. Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.
- B. Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.
- C. Lighting shall be provided in pedestrian plazas, if any developed.
- D. Lighting shall be provided at building entrances.
- E. Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.

2. Pedestrian-scale on-site lighting.

- A. Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:
 - 1. Fifteen (15) feet in height for on-site pedestrian paths of travel.
 - 2. Twenty (20) feet in height for on-site vehicular circulation areas for residential uses in residential zoning districts.
 - 3. Thirty (30) feet in height for on-site vehicular circulation areas in non-residential zoning districts.
 - 4. Fifteen (15) feet for the top deck of non-covered parking structures.
 - 5. The height of the poles for on-site pedestrian ways and on-site vehicular circulation areas shall be measured from the site's finished grade.

60.05.30.2.A.

6. The height of the poles on the top deck of non-covered parking structures shall be measured from the finished floor elevation of the top deck.
7. The poles and bases for pole-mounted luminaires shall be finished or painted a non-reflective color.

- B. Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.
- C. Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of forty-eight (48) inches.

60.05.35. Building Design and Orientation Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

1. Building Elevation Design Through Articulation and Variety

- A. Residential buildings should be of a limited length in order to avoid undifferentiated building elevations, reduce the mass of individual buildings, and create a scale of development that is pedestrian friendly and allow circulation between buildings by pedestrians. (Standard 60.05.15.1.A.)
- B. Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standard 60.05.15.1.A and B)
- C. To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)
- D. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.1.B)

60.05.35.1.

- E. Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, buildings should promote and enhance a comfortable pedestrian scale and orientation. (Standard 60.05.15.1.B)
- F. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street or major parking area should be avoided. (Standards 60.05.15.1.B and C)
- G. Building elevations visible from and within 100 feet of an adjacent street where the principle use of the building is manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities in an industrial zoning district, should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street should be avoided. (Standards 60.05.15.1.B and C)

2. Roof Forms as Unifying Elements

- A. Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be highlighted. (Standards 60.05.15.2.A and B)
- B. Flat roofs should include distinctive cornice treatments. (Standard 60.05.15.2.C)
- C. Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure. (Standard 60.05.15.2.D)

60.05.35.

3. Primary building entrances.

- A. Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, the design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. (Standard 60.05.15.3)
- B. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3)

4. Exterior Building Materials

- A. Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standard 60.05.15.4.A)
- B. Excluding development in Industrial zones, where masonry is used for exterior finish, decorative patterns (other than running bond pattern) should be considered, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. (Standards 60.05.15.4.B and C)

5. Screening of Equipment. All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)

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6. Building Location and Orientation in Multiple Use and Commercial districts.

- A. Buildings should be oriented and located within close proximity to public streets and public street intersections. The overall impression, particularly on Class 1 Major Pedestrian Routes, should be that architecture is the predominant design element over parking areas and landscaping. (Standard 60.05.15.6.A and B)
- B. The design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building. (Standard 60.05.15.6.B)
- C. On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standard 60.05.15.6.C)

7. Building Scale along Major Pedestrian Routes.

- A. Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged. (Standard 60.05.15.7.A)
- B. Building heights at the right-of-way edge should help form a sense of street enclosure, but should not create a sheer wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standard 60.05.15.7.A)

8. Ground Floor Elevations On Commercial And Multiple Use Buildings.

- A. Excluding residential only development, ground floor building elevations should be pedestrian oriented and provide views into retail, office or lobby space, pedestrian entrances or retail display windows. (Standard 60.05.15.8.A)

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- B. Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations. (Standard 60.05.15.8.B)

60.05.40. Circulation and Parking Design Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

- 1. Connections to public street system.** The on-site circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets. (Standard 60.05.20.1)
- 2. Loading area, solid waste facilities, and similar improvements.**
 - A. On-site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street. (Standard 60.05.20.2)
 - B. Except in industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2.)
- 3. Pedestrian circulation.**
 - A. Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)
 - B. Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)
 - C. Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)

60.05.40.3.

- D. Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standard 60.05.20.3.C through E)
 - E. Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.3.A through H)
 - F. Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces. (Standards 60.05.20.3.F through G)
4. **Street frontages and parking areas.** Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)
5. **Parking area landscaping.** Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas. (Standard 60.05.20.5.A through D)
6. **Street frontages in Multiple Use districts.**
- A. Surface parking should occur to the side or rear of buildings and should not occur at the corner of two Major Pedestrian Routes. (Standard 60.05.20.6)
 - B. Surface parking areas should not be the predominant design element along Major Pedestrian Routes and should be located on the site to safely and conveniently serve the intended users of the development, without precluding future site intensification. (Standard 60.05.20.6)
7. **Sidewalks along streets and primary building elevations in Multiple Use and Commercial districts.**
- A. Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)

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- B. Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B.)

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple Use, and Commercial districts.

- A. On-site circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8)
- B. Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact. (Standard 60.05.20.8)

9. Parking Structures in Multiple-Use Districts. Active ground floor uses should be incorporated in parking structures, particularly on elevations facing Major Pedestrian Routes. (Standard 60.05.20.9)

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

1. Common Open Space for Residential Uses in Residential Districts

- A. Common open spaces should be provided that are sized and designed for anticipated users, and are located within walking distance for residents and visitors, and should be integrated into the overall landscape plan. (Standard 60.05.25.1)
- B. Common open spaces should be available for both passive and active use by people of all ages, and should be designed and located in order to maximize security, safety, and convenience. (Standard 60.05.25.1)
- C. Common open spaces should be free from all structural encroachments unless a structure is incorporated into the design of the common open space such as a play structure. (Standard 60.05.25.1)

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- D. Common open space should be located so that windows from living areas, excluding bedrooms and bathrooms, of a minimum of four (4) residences face on to the common open space. (Standard 60.05.25.1)

2. Minimum landscaping in Residential districts.

- A. Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape. (Standard 60.05.25.2.A through C)
- B. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.2.A through C)

3. Minimum landscaping for conditional uses in Residential districts and for developments in Multiple Use, Commercial, and Industrial Districts.

- A. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.3.A, B, and D)
- B. Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete. (Standard 60.05.25.3.C)
- C. Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standard 60.05.25.3.A and B)
- D. Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standard 60.05.25.3.A and B)
- E. A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.3)

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4. **Public Open Space.** Open space available for public use but in private ownership should be accessible to the public, designed for safety, include active, passive or both spaces and improvements, but should not include environmentally sensitive areas. (Standard 60.05.25.4)
5. **Retaining Walls.** Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard 60.05.25.5)
6. **Fences and Walls**
 - A. Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.6)
 - B. Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard 60.05.25.6)
7. **Changes to existing on-site surface contours at residential property lines.** The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard 60.05.25.7)
8. **Integrate water quality, quantity, or both facilities.** Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design. (Standard 60.05.25.8)
9. **Landscape Buffering and Screening**
 - A. A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer standards shall not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.9)

60.05.45.9.

- B. When potential conflicts exist between adjacent zoning districts, such as industrial uses adjacent to residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts are not as great, such as a commercial zoning district abutting an industrial zoning district, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.9)
- C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.9)

- 10. **Natural Areas.** Natural features that are indigenous to a development site, such as streams, wetlands, rock outcroppings, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (No companion standard)

60.05.50. Lighting Design Guidelines. Unless otherwise noted, all guidelines apply in all zoning districts.

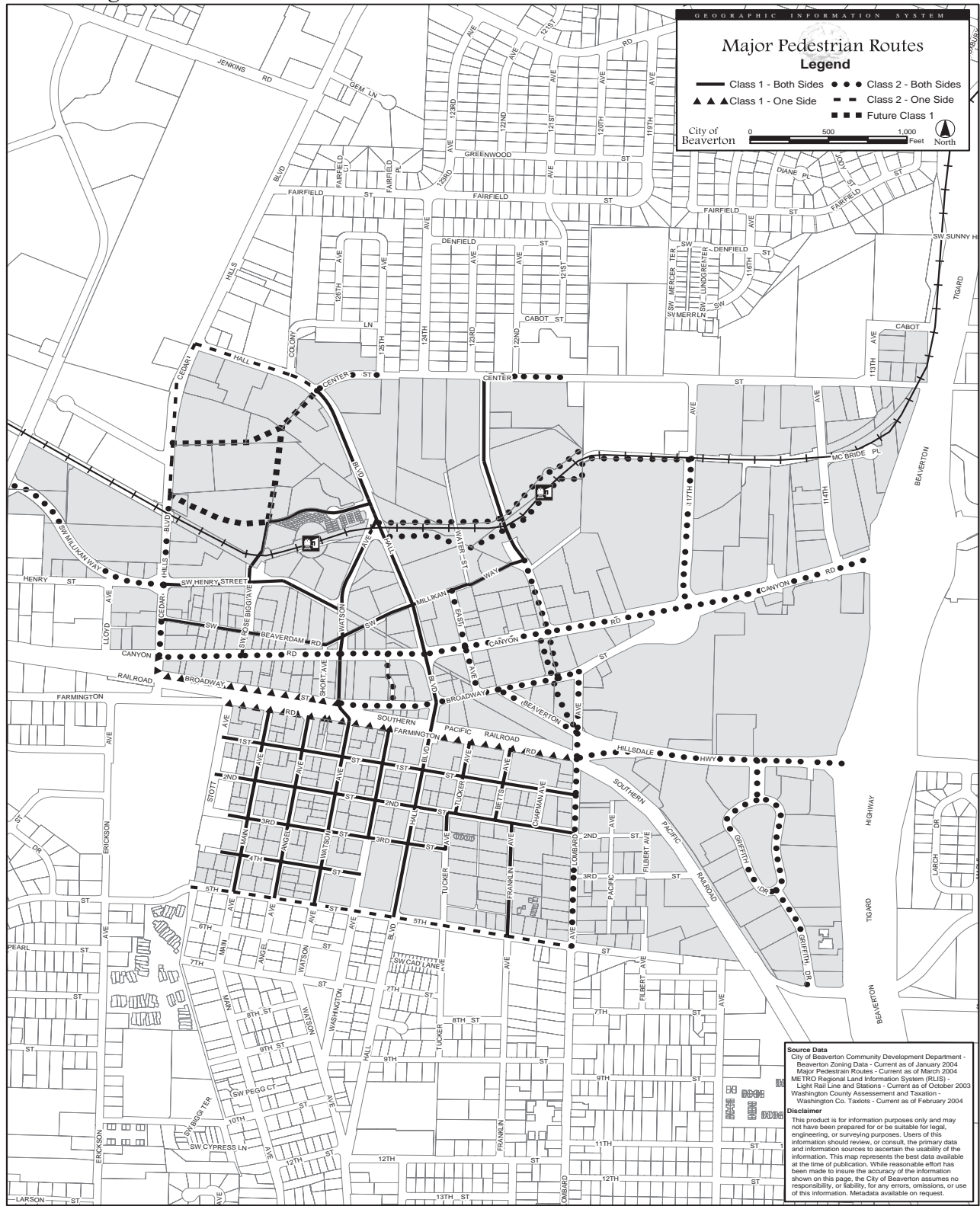
- 1. Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires. (Standard 60.05.30.1 and 2)
- 2. Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)
- 3. Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other measures to screen the view of light sources from residences and streets. (Standard 60.05.30.1 and 2)
- 4. On-site lighting should comply with the City's Technical Lighting Standards. (Standard 60.05.30.1 and 2)

SPECIAL REQUIREMENTS

Design Review Principles, Standards, and Guidelines

60.05.55 Major Pedestrian Route Maps.

1. Regional Center



SPECIAL REQUIREMENTS

Design Review Principles, Standards, and Guidelines

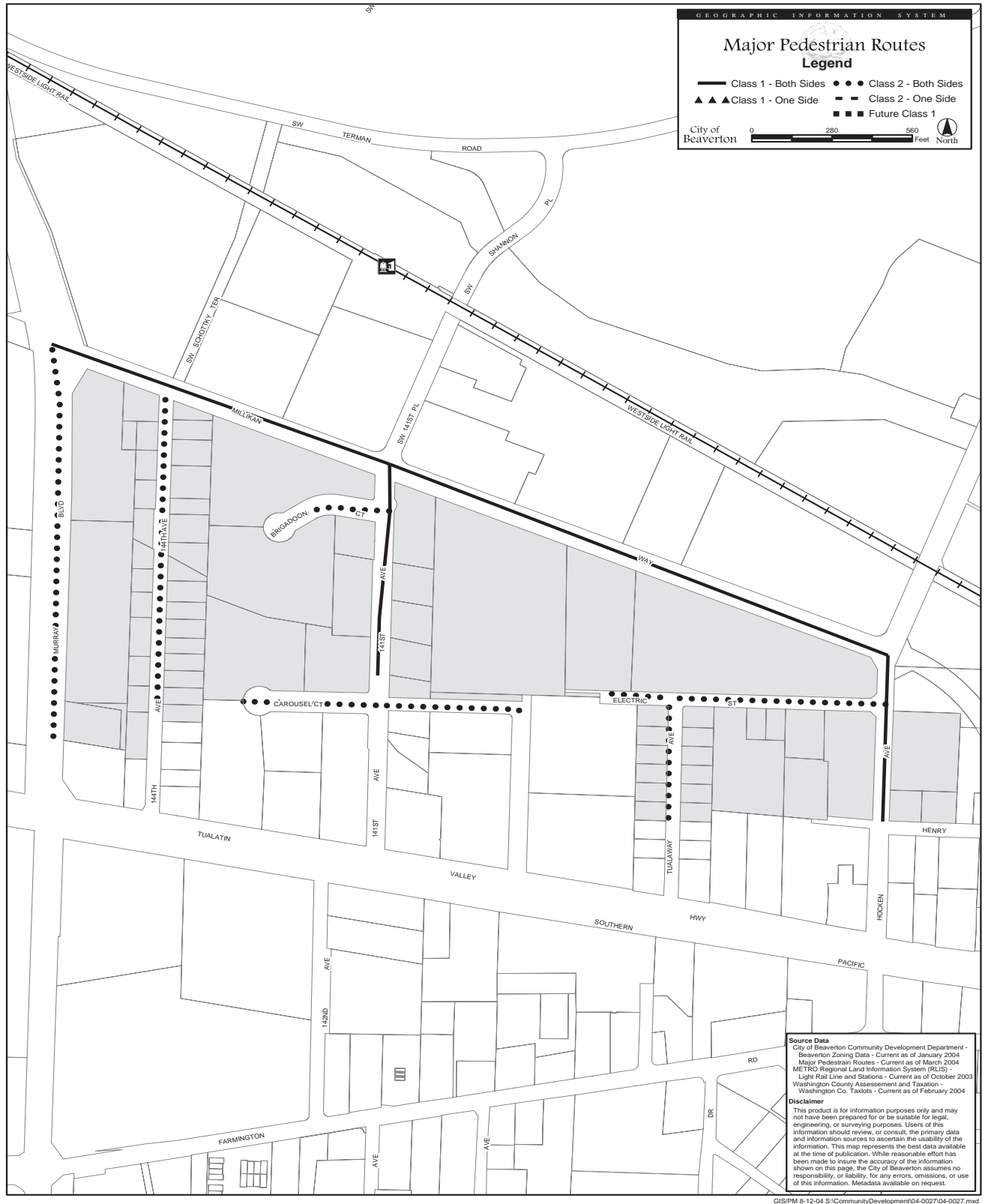
60.05.55.2. Town Center



SPECIAL REQUIREMENTS

Design Review Principles, Standards, and Guidelines

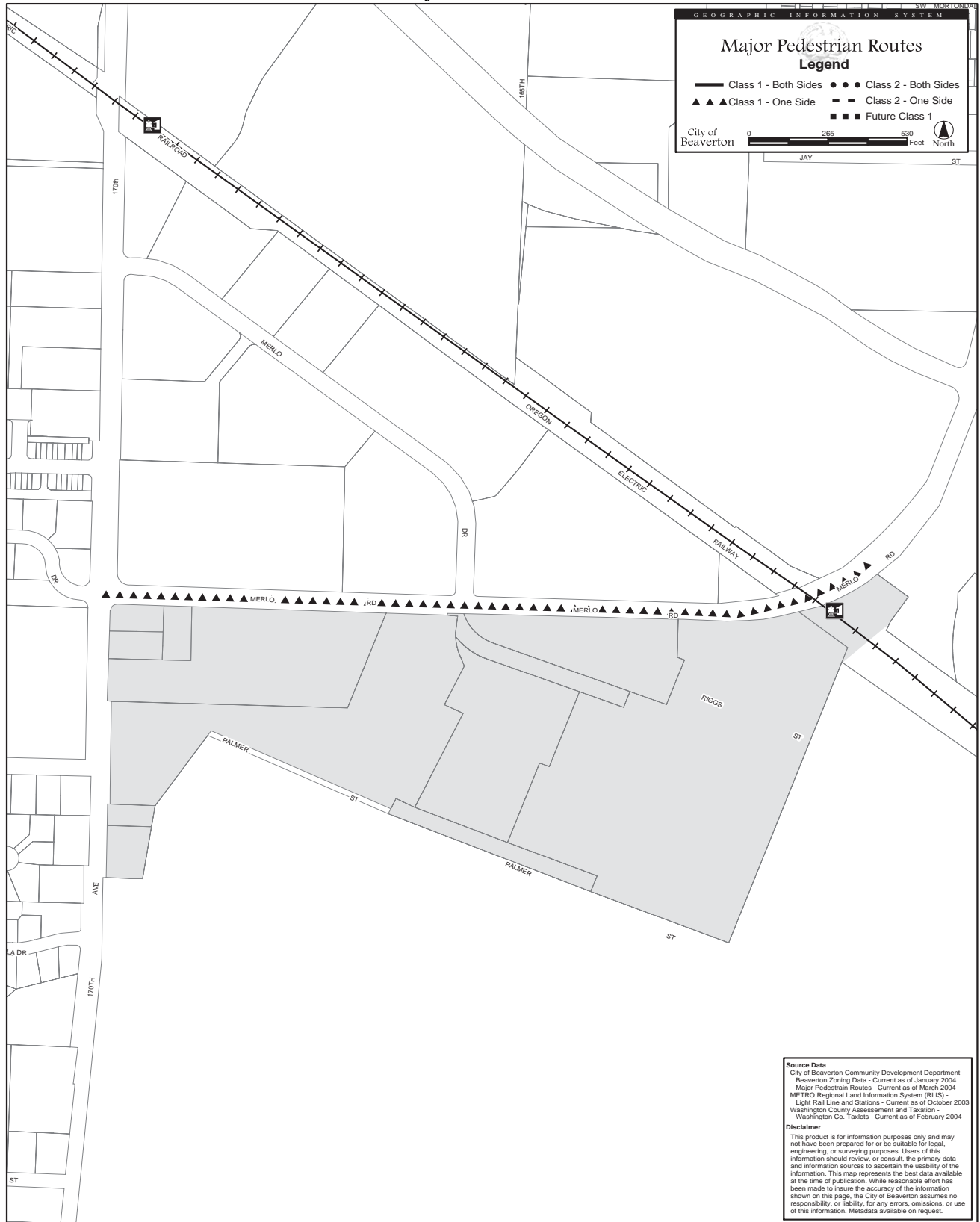
60.05.55.3. South Tek Station Community



SPECIAL REQUIREMENTS

Design Review Principles, Standards, and Guidelines

60.05.55.4. Merlo Station Community



GIS/PM 8-12-04 S:\CommunityDevelopment\04-0027\04-0027.mxd

Table 60.05-1 TECHNICAL LIGHTING STANDARDS

- A. Types of Lighting.** The Technical Lighting Standards shall apply to bollard luminaire, pole-mounted luminaire, and non-pole-mounted luminaire.
- B. Areas to Be Applied.** The roadways, access drives, parking lots, vehicle maneuvering areas, pathways and sidewalks of all new developments and building entrances shall be lighted in conformance to the technical lighting standards. These standards are not intended to apply to public street lighting.
- C. Conformity of Lighting Plans to this Section.** All lighting plans submitted to the City shall comply with the standards of this table.
- D. Standards.** The following standards are required of all exterior lighting:

 - 1. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of an angle greater than ninety (90) degrees, the minimum required interior illumination, the maximum permitted illumination at the property line, and the maximum permitted height of Luminaires shall be as shown on Table 60.05-1.
 - 2. When a bollard luminaire, or pole-mounted luminaire, or non-pole-mounted luminaire has total cutoff of light at an angle less than ninety (90) degrees and is located so that the bare light bulb, lamp, or light source is completely shielded from the direct view of an observer five (5) feet above the ground at the point where the cutoff angle intersects the ground, then the minimum permitted interior illumination, the maximum permitted illumination within five (5) feet of any property line, and the maximum permitted height of Luminaires is also shown on Table 60.05-1.
- E. General Provisions.** Notwithstanding any other provision of this Section to the contrary:

 - 1. Design Standards for Residential, Commercial, Industrial and Multiple-Use Districts:**

 - a. No flickering or flashing lights shall be permitted.

60.05-1 (continued)

- b. No bare bulb lights shall be permitted for single-family attached development and multi-family attached development.
- c. No strobe lights shall be permitted.
- d. Light sources or Luminaires shall not be located within areas identified for screening or buffering except on pedestrian walkways.

2. Special Design Standard for Residential Districts. No exterior neon lights shall be permitted.

3. Special Design Standard for Commercial and Multiple-Use Districts. Exterior neon lights shall only be permitted when incorporated into the architectural design of a building.

F. Exemption for Specified Public Outdoor Recreation Uses:

- 1. Because of their unique requirements for nighttime visibility, public ball diamonds, public playing fields, and public tennis courts only, inclusive of facilities located on school district properties, are exempted from the exterior lighting standards of Sections 1 through 2 above. These outdoor recreational uses must meet all other requirements for this Section and of the Code.
- 2. The outdoor recreational uses specified above shall not exceed a maximum permitted post height of eighty (80) feet.
- 3. The outdoor recreational uses specified above may exceed a total cutoff angle of ninety (90) degrees, provided that the luminaire is shielded to prevent light and glare spillover to adjacent properties. The maximum permitted illumination at the property line or, if required, the interior buffering line, shall not exceed two (2) foot-candles.

Table 60.05-1 (continued)

Zoning District Type	Minimum Required Illumination (internal) in Foot-candles		Maximum Permitted Illumination (internal) in Foot-candles		Maximum Permitted Height of Luminaires
	>90	<90	>90	<90	
Residential	1.0	0.7	TBD	TBD	Pole-mounted Luminaires (inclusive of above grade base and light fixture): <ul style="list-style-type: none"> ◆ 15 feet for on-site pedestrian ways. ◆ 20 feet for on-site vehicular circulation areas. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ul style="list-style-type: none"> ◆ 20 feet above building finished grade.
Commercial and Industrial	1.5	1.0	TBD	TBD	Pole-mounted Luminaires (inclusive of above grade base and light fixture): <ul style="list-style-type: none"> ◆ 15 feet for on-site pedestrian ways. ◆ 30 feet for on-site vehicular circulation areas. ◆ 15 feet for the top deck of non-covered parking structures. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ul style="list-style-type: none"> ◆ 15 feet above building finished grade for on-site pedestrian circulation areas ◆ 30 feet above building finished grade for on-site vehicular circulations areas.

Table 60.05-1 (continued)

Zoning District Type	Minimum Required Illumination (internal) in Foot-candles		Maximum Permitted Illumination (internal) in Foot-candles		Maximum Permitted Illumination at property line in Foot-candles	Maximum Permitted Height of Luminaires
	>90	<90	>90	<90		
Multiple Use:			TBD	TBD	0.5 (all)	Pole-mounted Luminaires (inclusive of above grade base and light fixture): <ul style="list-style-type: none"> ◆ 15 feet for on-site pedestrian ways for all development types. ◆ 20 feet for on-site vehicular circulation areas for residential only and multipole use with residential. ◆ 30 feet for on-site vehicular circulation areas for multiple use non-residential development and non-multiple use/non-residential development.. ◆ 15 feet for the top deck of non-covered parking structures for all development types. Wall-mounted Luminaires for the lighting of pedestrian or vehicular circulation areas: <ul style="list-style-type: none"> ◆ 20 feet above building finished grade for residential only and multiple use with residential development. ◆ 15 feet above building finished grade for multiple use non-residential development and non-multiple use / non-residential development.
Residential only		0.7				
Multiple use with residential		0.7				
Multiple use non-residential development	1.5	1.0				
Non-multiple use / non-residential development	1.5	1.0				

Table 60.05-2

Minimum Landscape Buffer Requirements Between Contrasting Districts											
District of Development	Location	Urban Low (R-10)	Urban Standard (R-7, R-5)	Urban Medium (R-4, R-3.5, R-2)	Urban High Density (R-1)	Commercial (CS, CV, GC, NS, OC)	Industrial (CI, IP, LI)	Station Area (SA-MU, SA-HDR)	Station Community (SC-MU, SC-HDR, SC-E)	Town Center (TC-MU, TC-HDR)	Regional Center (RC-OT, RC-TO, RC-E)
Urban Low (R-10)	Abutting	CU	5'/B1 CU	10'/B2 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU
	Across Street	N/A	5'/B1 CU	5'/B1 CU	10'/B1 CU	10'/B1 CU	10'/B1 CU	5'/B2 CU	5'/B2 CU	5'/B2 CU	5'/B2 CU
Urban Standard (R-7, R-5)	Abutting	5'/B1 CU	N/A	10'/B2 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU	20'/B3 CU
	Across Street	5'/B1 CU	N/A	5'/B1 CU	10'/B1 CU	10'/B1 CU	10'/B1 CU	10'/B2 CU	5'/B2 CU	5'/B2 CU	5'/B2 CU
Urban Medium (R-4, R-3.5, R-2)	Abutting	10'/B2 CU/R-4	10'/B2 CU/R-4	N/A	10'/B2 CU/R-4	20'/B3	20'/B3	10'/B2	10'/B2	10'/B2	10'/B2
	Across Street	5'/B1	5'/B1	N/A	5'/B1	10'/B1	10'/B1	5'/B2	5'/B2	5'/B2	5'/B2
Urban High Density (R-1)	Abutting	20'/B3	20'/B3	10'/B2	N/A	20'/B3	20'/B3	10'/B1	10'/B1	10'/B1	10'/B1
	Across Street	10'/B1	10'/B1	5'/B1	N/A	10'/B1	10'/B1	5'/B1	5'/B1	5'/B1	5'/B1
Commercial (CS, CV, GC, NS, OC)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	N/A	10'/B3	5'/B2	5'/B2	5'/B2	5'/B2
	Across Street	10'/B1	10'/B1	5'/B1	5'/B1	N/A	5'/B1	5'/B1	5'/B1	5'/B1	5'/B1

Table 60.05-2 (continued)

District of Development	Minimum Landscape Buffer Requirements Between Contrasting Districts										Regional Center (RC-OT, RC-TO, RC-E)
	Location	Urban Low (R-10)	Urban Standard (R-7, R-5)	Urban Medium (R-4, R-3.5, R-2)	Urban High Density (R-1)	Commercial (CS, CV, GC, NS, OC)	Industrial (CI, IP, LI)	Station Area (SA-MU, SA-HDR)	Station Community (SC-MU, SC-HDR, SC-E)	Town Center (TC-MU, TC-HDR)	
Industrial (CI, IP, LI)	Abutting	20'/B3	20'/B3	20'/B3	20'/B3	10'/B3	N/A	20'/B3	20'/B3	20'/B3	20'/B3
	Across Street	10'/B2	10'/B2	10'/B2	10'/B2	5'/B2	N/A	10'/B2	10'/B2	10'/B2	10'/B2
Station Area (SA-MU, SA-HDR)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	N/A	10'/B2	10'/B2	10'/B2
	Across Street	10'/B2	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	N/A	5'/B1	5'/B1	5'/B1
Station Community (SC-MU, SC-HDR, SC-E)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	N/A	10'/B2	10'/B2
	Across Street	10'/B2	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	N/A	5'/B1	5'/B1
Town Center (TC-MU, TC-HDR, TC-MDR)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	10'/B2	N/A	10'/B2
	Across Street	10'/B2	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	5'/B1	N/A	5'/B1
Regional Center (RC-OT, RC-TO, RC-E)	Abutting	20'/B3	20'/B3	10'/B3	10'/B3	10'/B3	20'/B3	10'/B2	10'/B2	10'/B2	N/A
	Across Street	10'/B2	10'/B2	5'/B2	5'/B2	5'/B2	10'/B2	5'/B1	5'/B1	5'/B1	N/A

NOTES FOR TABLE 60.05-2:

1. 5' / 10' / 20' = Buffer Width
2. B1 / B2 / B3 = Buffer Standard
3. N/A = Not Applicable
4. CU = Conditional Use
5. Buffering requirements are not in addition to building setback requirements.
6. *Buffering requirements for Urban Low & Urban Standard and the R-4 zoning district in Urban Medium shall only be applied when a Conditional Use (CU) is proposed.
7. A minimum 20 foot buffer developed to a B3 standard is required for non-residential land uses and parks in residential zoning districts. Parks in all other zoning districts shall observe the minimum buffer standard specified in the buffer matrix.

60.07. Drive-Up Window Facilities. [ORD 4224; August 2002]

60.07.05 Purpose. Drive-up window facilities shall be designed to provide safe, convenient and efficient traffic flow.

60.07.10 Standards. The decision making authority shall review proposed drive-up window facilities to determine that the following standards are addressed in the design:

1. Drive-through uses shall be located so that access and egress to the drive-through features are from an on-site drive aisle or other on-site circulation facility, not a public street. [ORD 4332; November 2004]
2. Restaurants providing drive-up window service shall have sufficient parking and seating to accommodate anticipated customer volume.
3. Restaurants providing drive-up window service shall provide at least two (2) designated parking spaces immediately beyond the service window, or provide other satisfactory methods, to allow customers requiring excessive waiting time to receive their food while parked.
4. Financial and other commercial establishments providing drive-up window facilities which do not provide for walk-in customer service (i.e., not allowing transactions within the structure) shall provide for safe, convenient and readily accessible exterior walk-up window service, such as an automatic teller machine, at any time during regular business hours. Additionally, at a minimum, two parking spaces shall be provided allowing convenient access to the walk-up service window.
5. The design of the stacking area shall allow customers' vehicles to leave the stacking line for emergency reasons.
6. On-site parking for walk-in customers shall be designed to be readily accessible to all public entrances to the building and to provide safe, convenient access.
7. Establishments having drive-up window facilities shall have sufficient stacking area to insure that public rights-of-way and shared access driveways are not obstructed.
8. Communication's sound system shall not exceed a measurement of 55 decibels at the adjoining property line.

SPECIAL REQUIREMENTS

Drive-Up Window Facilities

- 60.07.15. Abatement.** Drive-up window facilities shall be a public nuisance to be abated pursuant to 5.05.115A of the Municipal Code, or its successors, if the traffic at the facility causes obstruction or interference with the right-of-way or flow of pedestrian or vehicular traffic as described in Section 5.05.115A of the Municipal Code. Abatement methods may include summary abatement, closure or redesign of the drive up-window facility. The Beaverton Police shall have the authority to issue citations to drivers of motor vehicles obstructing the public right-of-way or interfering with traffic flow. (ORD 3218; July 1981)

60.10. FLOODPLAIN REGULATIONS

60.10.05. Purpose. Regulations governing development within floodplains are intended to recognize the need to protect the health, safety and welfare of the community, and maintain the functions and values of floodplains through control of development within the floodplain area so as to minimize public and private losses due to flooding. The preservation of natural features and topography as an aid in floodplain management is a primary purpose of these regulations. However, in the administration of these regulations the existing pattern of man-made improvements must in some areas be recognized as a constraint on achieving this purpose. The provisions of this Section are designed to: [ORD 4155; April 2001]

1. Protect human life and health property; [ORD 4155; April 2001]
2. Minimize expenditure of public money, costly repairs of flood damage, and costly flood control projects; [ORD 4155; April 2001]
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
6. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. Make information is available upon request to potential buyers that property is in an area of special flood hazard; [ORD 4155; April 2001]
8. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. (ORD 3563)
9. Maintain the functions and values of floodplains, such as allowing for the storage and conveyance of stream flows through existing and natural flood conveyance systems. [ORD 4155; April 2001]

60.10.10. Floodplain Designation.

1. Consistent with Clean Water Services Design and Construction Standards, the floodplain is the flood management area and shall include those areas identified by the Department of Homeland Security's Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for the City of Beaverton," dated February 18, 2005, with accompanying Flood Insurance Rate Maps (FIRM), is hereby adopted by reference and declared to be a part of this ordinance. In addition, the Letter of Final Determination, dated August 18, 2004, with accompanying Flood Insurance Rate Maps, flood profiles, and related data for Beaverton and Washington County, effective February 18, 2005, revises portions of the 1984 and 1987 studies and maps, and is hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study and revisions are on file with the City Engineer and the City Recorder. (ORD 3563) [ORD 4130; November 2000] When base flood elevation data has not been provided in accordance with this section, the City shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source in order to administer City of Beaverton Code Section 9.05.060, subsections A and D, relating to site development. (ORD 3563) [ORD 4337; January 2005]
2. When interpretation is requested by a property owner, or designee concerning the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the City Engineer may request the concerned person provide a detailed hydraulic data report prepared by a registered engineer with background in the area of hydraulics. This report shall include, but is not limited to, water profiles and discharge rates for the channel and the hydrology for the tributary areas. After review of the available data the floodplain elevation shall be established by the City Engineer. A person dissatisfied with the City Engineer's decision may appeal that decision in the same manner as provided in Beaverton Code Section 9.05.091. (ORD 3563) [ORD 4155; April 2001]

60.10.10.

3. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Large floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder. (ORD 3563)
4. Uncontained areas of hazardous materials, as defined by the Department of Environmental Quality, are prohibited in the floodplain. Any storage or placement of materials in the floodplain that would obstruct the flow of water or reduce the available flood holding capacity of a site is prohibited. (ORD 3441) [ORD 4093; March 2000] [ORD 4155; April 2001]

60.10.15. Development in Floodway.

1. Development in the floodway is prohibited, with the following exceptions, which are subject to the site development ordinance;
 - A. Stormwater outfall pipes and other drainage; improvements;
 - B. Bridges;
 - C. Culverts;
 - D. Public utility lines;
 - E. Trails or bikepaths;
 - F. Roads and other uses identified on the City's Transportation Plan; and
 - G. Grading associated with A through F above.

60.10.20. Commercial and Industrial Uses in the Floodway Fringe. All commercial and industrial uses, if allowed in the primary zone are allowed in the floodway fringe if the proposed development:

1. Meets the requirements of Beaverton Code Section 9.05;

60.10.20.

2. Meets the requirements of the City Engineering Design Manual and Standard Drawings;
3. Meets the requirements of the Unified Sewerage Agency Design and Construction Standards Manual based on affirmative statements in documentation from CWS; and [ORD 4224; August 2002]
4. Has been reviewed and approved by the appropriate City approval authority as meeting the requirements and standards of this ordinance.

(ORD 3441) [ORD 4093; March 2000] [ORD 4155; April 2001]

60.10.25. Residential Uses in the Floodway Fringe.

1. Unless property is developed as a planned unit development, single family and two family dwellings, even though allowed in the primary zone, are prohibited in the floodway fringe on any lot smaller in area than five acres.
2. All other residential uses, if allowed in the primary zone, are allowed only as conditional uses in the floodway fringe. The request for a Conditional Use shall be processed and reviewed in the manner set forth in this ordinance. In addition to all other findings of fact required to be made in order to grant the Conditional Use, the following findings shall also be made: [ORD 4155; April 2001]
 - A. The proposed development meets the site and building design standards and requirements of the Beaverton Code Section 9.05; and [ORD 4155; April 2001]
 - B. The proposed development meets the building design standards and requirements of the Clean Water Services Design and Construction Standards based on affirmative statements in documentation from CWS. [ORD 4155; April 2001] [ORD 4224; August 2002]
3. The provisions of 2., above, shall not operate to impose the status of nonconforming use on any single family or two family dwelling or use lawfully existing on the effective date of this ordinance.

60.10.25.

4. Single family and two family dwellings and uses located in the floodway fringe and on lots smaller in area than five acres shall be allowed to continue, subject to the provisions of the primary zone, as conforming uses.
5. A structure or use regulated by this section that does not comply with any regulation provided by this ordinance for the primary zone in which it is located shall be considered nonconforming in those particulars only and shall be treated in a manner consistent with the provisions of Chapter 30, the nonconforming use provisions.
6. All manufactured homes to be placed or substantially improved within FIRM zones A1 - A30, AH and AO shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of the Beaverton Code Section 9.05. Site Development Code. (ORD 3563) [ORD 4155; April 2001]

60.15. LAND DIVISION STANDARDS. [ORD 4224; August 2002]

60.15.05. Purpose. It is the purpose of this section to establish uniform design and development standards and requirements for all land division applications in Section 40.45 of this Code.

60.15.10. General Provisions.**1. Easements.**

A. The minimum public utility and drainage easements for residential land divisions shall be as follows:

1. A six-foot (6) public utility easement along all front lot lines.
2. A three-foot (3) utility and drainage easement along all side and rear lot lines.

B. Public water, sanitary sewer, and storm drainage lines on private property shall be centered within a permanent easement granted to the City, with a minimum width of fifteen feet (15) along its entire length. The actual required width of an easement may be greater than the minimum required as the required easement width shall be measured from both outside edges of the pipe zone outward to the catch points where the theoretical lines at a 1:1 slope would daylight unless permanent soil reinforcements or other measures are provided to the satisfaction and approval of the City Engineer. No encroachment within a public utility easement of any private utility or structure shall be allowed without prior itemized approval. Under no circumstances, shall these items be placed within the pipe zone. Private utilities that cross public utility easements shall do so as close as practical to right angles with the public utility. The City can not approve any encroachment location which would adversely affect the ability of the City to maintain City utilities. Such easements, when directed by the City, shall be accompanied by temporary easements granted to the City of adequate width to allow construction of water and sewer. The Engineer or developer's surveyor shall provide the City with documents necessary to record the easements. The width of combination easements is evaluated at the site development permit stage on a case-by-case basis.

60.15.10.1.B.

Upon issuance of a Site Development Permit and Final Land Division application, the Director will notify the Washington County surveyor that a cadastral review of the Final Land Division may begin. It is within the authority of the City Engineer or designee to refuse to approve or sign any land partition, partition plat, or subdivision plat for a development that has not installed the necessary public utilities to serve the proposed and affected existing lots. Such approval may be withheld until it can be verified that the location and width of proposed rights of way and easements are adequate for the completed utilities.

- C. Where a land division is traversed by a water course, drainage way, channel, or stream, a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width as will be adequate for the purpose, may be required. Streets or parking ways parallel to water courses may be required.

2. **Building Lines.** The Director may approve special setbacks based upon the consideration for safety, topography, geology, solar access or other such reasons. If special building setback lines are to be established in the land division that are greater than required by this Code, they shall be shown on the final land division and included in the deed restriction.
3. **Dedications.** Public streets, sidewalks, pedestrian ways, bikeways, multi-use paths, parks, open space, and other public rights-of-way required as mitigation for on site or off site impacts in proportion to the identified impacts of the proposed development and reasonably related to the development, shall be dedicated or otherwise conveyed to the City or the appropriate jurisdiction for maintenance. Dedication of any land for park or open space purposes must be approved by the jurisdiction to whom the park or open space is being dedicated prior to Final Land Division approval.
4. **Homeowner Associations and Declarations.** When a Homeowner's Association Agreement or other restrictive covenants are to be recorded with the development, a copy of the appropriate documents shall be submitted with the final plat. The City shall review such documents to ensure that common areas are properly maintained and that other restrictions required by the City are included.

60.15.15. Compliance With Land Division Approvals.

- 1. Requirements Prior to Commencement of Work.** Prior to any construction, improvements or land development, the developer shall perform the following:
 - A. The developer shall file detailed plans and specifications for all public improvements and land development together with a detailed cost estimate to complete such improvements for approval by the City Engineer or designee.
 - B. The developer shall enter into a contract with the City of Beaverton to make, install and complete within the time fixed, but in no case more than two years from the date of execution of said contract without written approval by the City Engineer, City Attorney and the Director, all improvements (Section 60.10.15.3.), land development, or both in accordance with the approved plans. The developer shall cause to be filed with the City Recorder a security acceptable to the City Attorney payable to the City of Beaverton in a principal sum determined from the approved estimate of the costs of said improvements, land development, or both of this section. The security shall assure the performance of the said contract and the completion of the said improvements, or land development, free of liens.
 - C. In cases where both land development and public improvements are to be made, the security required shall be cumulative.
 - D. The amount of the security shall be based on an estimate of the cost of the work approved by the City Engineer in accordance with the following schedule:
 1. Public Improvements = 100% of cost estimate.
 2. Land Development = 100% of cost estimate.
- 2. Improvement Procedures.** All improvements shall conform to the requirements of this Code and any other improvements standards or specifications adopted by ordinance of the City Council and shall be installed in accordance with the following procedure:
 - A. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City. To the extent necessary for evaluation of the land division proposal, such plans may be required before Final Land Division approval.

60.15.15.2.

- B. Improvement work shall not be commenced until the developer has secured a site development permit. If work has been discontinued for any reason for a period of time exceeding thirty (30) calendar days, it shall not be resumed until the City has been notified and consented in writing.
- C. All required improvements shall be constructed to the satisfaction of the City Engineer according to Beaverton Code 9.04-010 through .120 and 9.05.005 through .170, the Engineering Design Manual and Standards Drawings, and any amendments thereto. The City may require changes in typical sections and details if unusual conditions arise during construction to warrant such change in the interests of the City or the developer. Upon acceptance of the required improvements, the City Engineer shall notify the developer that the improvements are acceptable pursuant to the Beaverton Code. Acceptance shall be in writing.
- D. All public and private underground utilities installed in streets in accordance with Section 60.65 (Utility Undergrounding), shall be constructed prior to the surfacing of such streets. Stubs for service connections for all public and private underground utilities shall be extended such that future connections thereto will not require cutting above ground street improvements.
- E. Plans showing all public improvements as built shall be filed with the City Engineer upon completion of said improvements.

3. Improvement Requirements. The improvements that are reasonably related and roughly proportional to the impacts of the proposed development that shall be installed at the expense of the developer are as follows:

- A. Streets:
 - 1. All streets, including alleys, within the land division.
 - 2. Streets adjacent to the land division.
 - 3. The extension of the land division streets to the intercepting paving line of existing streets with which the land division streets intersect.

60.15.15.3.A.

4. Streets which intersect with streets within the development that provide ingress or egress to the development or on which there are traffic impacts reasonably related to the development.
 5. All streets shall be built or improved to City standards.
- B. Catch basins. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways.
- C. Monuments and bench mark.
- D. Surface drainage and storm sewer system. Drainage facilities including, but not limited to, conveyance, detention, and water quality facilities, shall be provided within the land division to connect the land division drainage to drainage ways or storm sewers outside the land division. Design of drainage shall be in accordance with the standards established by the City Engineer and shall allow for the extension of the system to serve other areas.
- E. Sanitary sewers. Sanitary sewers shall be installed to serve the land division and to connect the land division to existing mains.
- F. Water system. Water lines with valves and fire hydrants serving the land division, connecting the land division to City mains, shall be installed in conformance with the City specifications. The design and construction by the developer shall provide for extension beyond the land division, for extensions to adequately grid the City system, and for proper connection of adjoining pressure zones, where required.
- G. Street Trees. Street trees shall be planted along street frontages in accordance with the following:
1. For detached dwelling land divisions, the Developer shall pay a fee to the City. The City shall be responsible for tree purchase and planting, and maintenance for one year, consisting of pruning, disease control and watering. The fee shall be based upon a standard of one tree per thirty (30) lineal feet of street frontage, with standard rounding methods applied for fractions thereof. The fee to be charged and collected shall be established and from time to time amended by Resolution of the City Council.

60.15.15.3.G.

2. For all other land divisions, trees shall be planted in accordance with an approved street tree plan.
 3. Trees shall be planted in accordance with the City's Tree Planting and Maintenance Policy.
- H. Bike and pedestrian ways. Bike and pedestrian ways shall be constructed according to City Engineering Design Manual and Standard Drawings.
- I. Pedestrian Circulation. [ORD 4332; November 2004]
1. Walkways are required between parts of a site where the public is invited or allowed to walk.
 2. A walkway into the site shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the site.
 3. Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. On-site walkways shall connect with walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multifamily, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.
 4. Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.
 5. Walkways shall be paved and shall maintain at least four feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.

60.15.15.3.I.

6. The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.
 7. On-site walkways shall be lighted to an average 0.5 foot-candle level. Lighting shall have cut-off fixtures so that no glare is emitted beyond the property line or onto the public right of way.
- J. Other improvements reasonably related to the impacts of the development which may be required in rough proportion to the impacts of the proposed development at the partial or total expense of the developer.
1. Improvement of streets providing primary access to land division streets.
 2. Signals, traffic control devices, and traffic calming devices.
 3. Intersection improvements.
 4. Fences, privacy screens, retaining walls, and sound walls.
 5. Slope stabilization and erosion control.
 6. Parks and open space shall be improved as required by the City and appropriate jurisdiction.
- K. Street Lights. Street lights shall be installed in accordance with City standards.
- L. Curb cuts and driveway installations are not required of the developer but, if installed, shall comply with City standards.
4. **Maintenance Security.** The developer shall enter into a contract with the City of Beaverton to ensure the continued maintenance of all required improvements in a manner consistent with Section 9.05 Site Development of the Municipal Code.

60.15.15.

5. Grading. [ORD 4332; November 2004]

- A. When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:
1. 0 to 5 feet from property line. Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 2. More than 5 feet and up to and including 10 feet from property line. Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 3. More than 10 feet and up to and including 15 feet from property line. Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 4. More than 15 feet and up to and including 20 feet from property line. Maximum of eight (8) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
 5. More than 20 feet and up to and including 25 feet from property line. Maximum of ten (10) foot slope differential from the existing or finished slope of the abutting property, whichever is applicable.
- B. Notwithstanding the requirements of subsection A.1. above, grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified significant grove or tree, or an identified historic tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree. For the purpose of this standard, the tree root zone extends the same distance from a tree trunk as the tree canopy.

Mobile and Manufactured Home Regulations

60.20. MOBILE AND MANUFACTURED HOME REGULATIONS

(ORD 3141, November 1980; ORD 3486, April 1993; ORD 3899, May 1994)

60.20.05. Purpose. The purpose of these regulations is to establish criteria for the placement of mobile homes and manufactured homes within the City of Beaverton. Mobile homes and manufactured homes provide a wider choice of housing types suitable for a greater range of households, lifestyles and economic levels of present and anticipated populations. Mobile homes and manufactured homes will be located and shall comply with all applicable City and State standards. (ORD 3899)

60.20.10. Mobile Home Subdivisions.

1. Mobile Home subdivisions are permitted uses in the R-5 zone. (ORD 3739) In addition to the standards of the zone in which the proposals are located and the other standards of this ordinance, they shall comply with all applicable State standards and other City standards for a subdivision. No other types of residential units, other than mobile homes and manufactured homes, shall be located in subdivisions of this type. The placement of manufactured homes in a mobile home subdivision shall be governed by Section 60.20.20 of this ordinance.
2. Standards for the placement of mobile homes on individual lots within a mobile home subdivision:
 - A. The mobile home shall have an Oregon insignia (ORD 3739) No reconstruction or equipment installation shall have been made to a mobile home unless it has been approved by the State as evidence by the appropriate insignia.
 - B. A mobile home shall be attached to a foundation for which a building permit has been obtained.
 - C. The mobile home shall be connected to a public water supply and sewage disposal system.
 - D. The wheels, tongue and traveling lights of the mobile home shall be removed.

Mobile and Manufactured Home Regulations

60.20.10.2.

- E. In the event a mobile home is removed after installation, the property owner shall within 120 days either replace the mobile home with another approved mobile home or remove the foundation, mobile home accessory buildings and other structures on the property. At the time of mobile home is removed, water, sewer and all other utilities shall be disconnected as may be specified by the City. The City may make the removal and disconnection and place a lien against the property for the cost of the work if the owner fails to perform the work within a specified time.
- F. The mobile home shall be owned by the owner of the lot on which it is installed.
- G. Except for a structure which conforms to the State definition of a mobile home accessory structure, no extension shall be attached to a mobile home.
- H. The mobile home shall have a roof with a minimum slope of sixteen percent (16%) (2:12), and have composite or shake roof, or other roofing materials approved by the Director. [ORD 4332; November 2004]
- I. The mobile home shall be double wide or wider.
- J. The underside of the floor shall be a minimum of 18 inches above ground level at any point.
- K. Mobile home siting shall conform to lot area, yard dimensions and all other dimensional requirements of the zone in which it is located.

60.20.15. Mobile Home Park Regulations.

- 1. Mobile home parks are permitted uses in the R-5 zone. They are conditional uses in the R-2 zone, subject to Section 40.15 (ORD 3739). Density for the mobile home parks shall be compatible with the zone in which they are located and calculated according to Chapter 90. Mobile home parks shall be subject to the following standards:
 - A. The design for the mobile home park shall conform to all applicable State standards established by the State of Oregon, Department of Commerce mobile home park standards (effective - February 1, 1979).

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- B. All mobile homes shall have an Oregon insignia. (ORD 3739)
No reconstruction or equipment installation shall be made to a mobile home unless it has been approved by the State as evidenced by the appropriate insignia.
- C. The mobile home park shall occupy at least one acre.
- D. Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by State Law.
- E. Each mobile home shall be connected to a public water supply and sewer disposal system.
- F. A mobile home and any attached accessory structure shall not be located closer than:
 - 1. Fifteen (15) feet from any other mobile home.
 - 2. Ten (10) feet from any detached accessory building or other building located within the mobile home park.
 - 3. Five (5) feet from a mobile home park property line.
- G. Except for a structure which conforms to the State definition of a mobile home accessory structure, no extension shall be attached to a mobile home.
- H. Mobile homes shall be installed under the provisions of the administrative rules adopted by the Oregon Department of Commerce (adopted February 1, 1979).
- I. A mobile home shall have continuous perimeter skirting installed pursuant to State regulations. Skirting shall be of the same material and finish as the exterior of the mobile home or otherwise approved by the Director.
- J. Except for non-conforming mobile homes as described in 2., below, a mobile home shall contain a minimum floor area of 800 square feet of gross floor area. The size shall exclude the tongue of the mobile home.
- K. The wheels, tongue and traveling lights of the mobile home shall be removed.

Mobile and Manufactured Home Regulations

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- L. The underside of the floor area shall be a minimum of 18 inches above ground level at any point.
- M. The internal street system shall conform to the standards specified by the City Engineering Design Manual and Standard Drawings. [ORD 4224; August 2002]
- N. Setbacks for a mobile home park property shall be the same as the zone in which it is located.
- O. Landscaping shall be equivalent to 15% of the area of the park.

[ORD 4332; November 2004]

- 2. Mobile home parks existing at the adoption of this ordinance not meeting the standards set forth herein shall be considered nonconforming and are subject to the nonconforming use provisions of this ordinance. Nonconforming mobile homes in such parks may be replaced with like mobile homes when they are moved or destroyed.
- 3. Mobile homes not meeting the size requirements set forth in subsection 1.L. above, which at the adoption of this ordinance are located in approved mobile home parks in the City, shall be considered nonconforming structures and may continue to remain or to be moved to another mobile home park.
- 4. Mobile home parks and subdivisions are prohibited in commercial and industrial districts. (ORD 3739)

60.20.20. Manufactured Homes. (ORD 3899)

- 1. Manufactured Homes are permitted on individual lots in the RA, R-5, R-7, and R-10 zones subject to the siting and design standards listed below:
 - A. The manufactured home shall be multisectional ("double-wide" or wider) and enclose a floor area of at least 1000 square feet;
 - B. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the manufactured home is placed on a basement, the 12 inch limitation will not apply.

60.20.20.1.

- C. The manufactured home shall have a pitched roof with a slope not less than a nominal 3 feet in height for each 12 feet in width;
- D. The manufactured home shall have exterior siding and roofing which in color, material and appearance is similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the local permit authority
- E. The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as identified under ORS 455.010.
- F. The manufactured home shall have a garage or carport constructed of like materials.
- G. A manufactured home shall have continuous perimeter skirting installed. Skirting shall be of the same material and finish as the exterior of the manufactured home. Pressure treated wood, concrete, brick, or stone shall be used.
- H. A manufactured home shall not be sited abutting any structure or property identified as a Historic District, Preservation District or Landmarks.
- I. All manufactured homes shall utilize at least two of the following design features:
 - 1. dormers
 - 2. recessed entries
 - 3. cupolas
 - 4. bay or bow windows
 - 5. attached garage
 - 6. window shutters
 - 7. a roof with a pitch greater than nominal 3/12
 - 8. off-sets on building face or roof (minimum 12")
 - 9. gables
 - 10. covered porch or entry
 - 11. pillars or posts
 - 12. eaves (minimum 6")
 - 13. tile or shake roof
 - 14. horizontal lap siding

60.25. Off-Street Loading Requirements. [ORD 4224; August 2002]

60.25.05. Applicability. No building or structure subject to the off-street loading requirements of this section shall be erected, nor shall any such existing building or structure be altered so as to increase its gross floor area to an amount exceeding 25% more than its existing gross floor area, without prior provisions for off-street loading space in conformance with the requirements of this section.

60.25.10. Loading Berth Design. Required off-street loading space shall be provided in berths which conform to the following minimum specifications:

1. Type A berths shall be at least 60 feet long by 12 feet wide by 15 feet high, inside dimensions with a 60 foot maneuvering apron.
2. Type B berths shall be at least 30 feet long by 12 feet wide by 14 feet 6 inches high, inside dimensions with 30 feet maneuvering apron.

60.25.15 Number of Required Loading Spaces. The following numbers and types of berths shall be provided for the specified uses. The uses specified below shall include all structures designed, intended or arranged for such use. In the case of a use not specifically mentioned, the requirements for off-street loading facilities shall be the same as a use which is most similar.

		AGGREGATE FLOOR AREA (SQ. FT.)	BERTHS REQUIRED	TYPE
USE				
1.	Freight terminals, Industrial plants, Manufacturing or wholesale establishments, Warehouses.	12,000 - 36,000	1	A
		36,001 - 60,000	2	A
		60,001 - 100,000	3	A
		each additional 50,000 or fraction thereof	1 additional	A
2.	Auditoria, Motel, Convention Halls, or Sports Arenas. (ORD 3293; Nov. 1982)	25,000 - 150,000	1	B
		150,001 - 400,000	2	B
		each additional 250,000 or fraction thereof	1 additional	B

SPECIAL REQUIREMENTS**Off-Street Loading****60.25.15.**

- | | | | | |
|----|---|---|-----------------------------|------------------|
| 3. | Hospitals, Residential Care Facilities. [ORD 4036; March 1999] | 10,000 - 100,000
over 100,000 | 1
2 | B
B |
| 4. | Department stores, retail establishments, funeral homes, restaurants, and commercial establishments not otherwise specified. | 7,000 - 24,000
24,001 - 50,000
50,001 - 100,000
each additional 50,000 or fraction thereof | 1
2
3
1 additional | B
B
B
B |
| 5. | Hotels, Extended Stay Hotels or Office Buildings. [ORD 3958; June 1996] | 25,000 - 40,000
40,001 - 100,000
each additional 100,000 or fraction thereof | 1
2 | B
B |
| 6. | Schools | over 14,000 | 1 | B |
| 7. | <u>Concurrent different uses.</u> When any proposed structure will be used concurrently for different purposes, final determination of loading requirements will be made by the decision making authority but in no event shall the loading requirements be less than the total requirement for each use based upon its aggregate floor area. | | | |

60.25.20 Loading Facilities Location.

1. The off-street loading facilities required for the uses mentioned in this Code shall be in all cases on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements.
2. No space for loading or unloading vehicles shall be so located that a vehicle using such loading space projects into any public street. Loading space shall be provided with access to any alley, or if no alley adjoins the lot, with access to a street. Any required front, side or rear yard may be used for loading unless otherwise prohibited by this Code.

60.25.25 Loading Determination. Off-Street loading requirements may be modified pursuant to Section 40.50. (Loading Determination)

60.30. OFF-STREET PARKING

60.30.05. Off-Street Parking Requirements. Parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building or use which is erected, enlarged, altered, or maintained in accordance with the requirements of Sections 60.30.05 to 60.30.20.

1. Availability. Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.
2. Vehicle Parking. Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The number of required vehicle parking spaces shall be provided according to Section 60.30.10.5.
3. Bicycle Parking. [ORD 3965, October 1996] Bicycle parking shall be required for all multi-family residential developments of four units or more, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and Section 60.55.65. of this Code.

[ORD 4107; May 2000]

60.30.10 Number of Required Parking Spaces. Except as otherwise provided under Section 60.30.10.10., off-street vehicle, bicycle, or both parking spaces shall be provided as follows:

1. Parking Calculation. Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.
2. Parking Categories.
 - A. Vehicle Categories. Contained in the table at Section 60.30.10.5. are vehicle parking ratios for minimum required parking spaces and maximum permitted number of vehicle parking spaces to be provided for each land use. These requirements reflect the parking requirements of Title 2 of Metro's Urban Growth Management Functional Plan.

60.30.10.2.A.

1. Minimum Number of Required Parking Spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.
2. Parking Zone A. Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter mile walking distance of bus transit stops that have 20 minute peak hour transit service or one-half mile walking distance of light rail station platforms that have 20 minute peak hour transit service.
3. Parking Zone B. Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both, or that have a greater than 20 minute peak hour transit service. Parking Zone B areas also include those parcels that are located at a distance greater than one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both.
4. Dual Parking Zones. If a parcel is partially located within Parking Zone A, then the use(s) located on the entire parcel shall observe the Parking Zone A parking ratios. Specifically exempted from this requirement are parcels located within the Regional Center - East zoning district. In the cases in the Regional Center - East zoning district where parcels are bisected by the boundary of Parking Zones A and B, the applicable maximum parking ratios may be averaged, and that average may be applied over the whole parcel. [ORD 4107; May 2000]

60.30.10.2.

- B. Bicycle Categories. The required minimum number of short-term and long-term bicycle parking spaces for each land use is listed in Section 60.30.10.5.
1. Short-term Parking. Short-term bicycle parking spaces accommodate persons that can be expected to depart within two hours. Short-term bicycle parking is encouraged to be located on site within 50 feet of a primary entrance, or if there are site, setback, building design, or other constraints, bicycle parking shall be located no more than 100 feet from a primary entrance in the closest available area to the primary entrance as determined by the decision-making authority.
 2. Long-Term Parking. Long-term bicycle parking spaces accommodate persons that can be expected to leave their bicycle parked longer than two hours. Cover or shelter for long-term bicycle parking shall be provided. School buildings are exempted from the requirement to cover long-term bicycle parking.
 3. Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings.

[ORD 4302, May 2004]

3. Ratios. In calculating the required number of vehicle and bicycle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number. In calculating the required number of vehicle and bicycle parking spaces, fractions less than 0.5 shall be rounded down to the nearest whole number. [ORD 3965, October 1996]
4. Uses Not Listed. For uses not specifically mentioned in this section, the requirements for off-street parking facilities for vehicles and bicycles shall be determined with a Parking Requirement Determination (Section 40.55.1) [ORD 4224; August 2002]
5. Parking Tables. The following tables list the required minimum and maximum vehicle and bicycle parking requirements for listed land use types.

60.30.10.5

PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

Land Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Multiple Use Zones	All Other Zones	Zone A	Zone B
Residential Uses				
Detached dwellings (per unit)	1.0	1.0	n/a	n/a
Attached dwellings				
One bedroom (per unit)	1.0	1.25	1.8	1.8
Two bedroom (per unit)	1.0	1.50	2.0	2.0
Three or more bedrooms (per unit)	1.0	1.75	2.0	2.0
Dwellings, Live/Work (per unit)	1.25	1.25	1.8	1.8
Dwelling, Accessory Unit	1.0	1.0	1.8	1.8
Mobile Homes (per unit)	1.0	1.0	2.0	2.0
Residential Care Facilities (per bed, maximum capacity)	0.25	0.5	0.5	0.5
Rooming, Boarding, or Lodging Houses (per guest room)	0.5	0.5	1.0	1.0
Commercial Amusements				
Arena / Stadium (per seat, maximum occupancy)	n/a	n/a	0.25	0.25
Movie Theaters (per seat, maximum occupancy)	0.3	0.3	0.4	0.5
Sports Clubs / Recreational Facilities	4.3	4.3	5.4	6.5
Tennis / Racquetball Courts	1.0	1.0	1.3	1.5
Institutions				
Hospital (per bed)	2.0	2.0	3.0	4.0
Public Buildings or other Structures	2.7	2.7	3.4	4.1
Welfare or Correctional Institution (per bed)	0.3	0.3	0.5	0.75

[ORD 4107; May 2000] [ORD 4224; August 2002]

- Notes: 1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
3. Refer to Section 60.30.10.10. for exceptions.
4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.

60.30.10.5.

PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

Land Use Category		Required Parking Spaces		Maximum Permitted Parking Spaces	
		Multiple Use Zones	All Other Zones	Zone A	Zone B
Commercial Uses					
	Retail, including shopping centers	3.0	3.3	5.1	6.2
	Offices, Administrative Facilities	2.7	2.7	3.4	4.1
	Bank, Financial Institutions	3.0	3.3	5.4	6.5
	Service Businesses	3.0	3.0	5.1	6.2
	Rental Businesses, including vehicle and trailer rental	2.7	3.3	3.5	4.1
	Medical, Dental Clinics	3.9	3.9	4.9	5.9
	Mortuaries (per seat, maximum occupancy)	0.25	0.25	0.5	0.75
	Eating, Drinking Establishments				
	Fast Food with drive through service in the RC-TO, SC-MU, and SC-HDR zones.	5.0	n/a	12.4	14.9
	Fast Food with drive through service in all other zones.	10.0	10.0	12.4	14.9
	Other eating, drinking establishments in the RC-TO, SC-MU, and SC-HDR zones.	5.0	n/a	19.1	23.0
	Other eating, drinking establishments in all other zones.	10.0	10.0	19.1	23.0
	Temporary Living Quarters (per guest room)	1.0	1.0	1.25	1.5

[ORD 4107; May 2000]

- Notes: 1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
3. Refer to Section 60.30.10.10. for exceptions.
4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.

60.30.10.5.

PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

Land Use Category		Required Parking Spaces		Maximum Permitted Parking Spaces	
		Multiple Use Zones	All Other Zones	Zone A	Zone B
Places of Assembly					
	Places of Worship (per seat at maximum occupancy)	0.25	0.25	0.6	0.8
	Auditoria, meeting facilities; Social or Fraternal Organizations (per seat, maximum occupancy)	0.25	0.25	0.5	0.5
	Educational Institutions: College, University, High School, Commercial School (spaces / number of FTE students and FTE staff)	0.2	0.2	0.3	0.3
	Educational Institutions: Middle School, Elementary School (spaces / number of FTE staff)	1.0	1.0	1.5	1.5
	Nursery Schools, Day or Child Care Facilities (spaces / number of FTE staff)	0.8	1.5	2.0	2.0
	Library, museum, art gallery	2.5	2.5	4.0	6.0
	Park and Ride facilities	n/a	n/a	n/a	n/a
	Transit Centers	n/a	n/a	n/a	n/a
Industrial					
	Manufacturing	1.6	1.6	2.0	2.0
	Storage warehouse, wholesale establishment, rail or trucking terminal, vehicle or trailer storage.	0.3	0.3	0.4	0.5
Limited Industrial					
	Research Facilities	2.5	2.5	3.4	3.4

[ORD 4107; May 2000] [ORD 4224; August 2002]

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. Refer to Section 60.30.10.10. for exceptions.
 4. In calculating the required number of vehicle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.

60.30.10.5.

PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
Residential Uses		
Detached dwellings	Not required	Not required
Two and three attached dwellings	Not required	Not required
4 or more attached dwellings	2 spaces or 1 space per 20 dwellings	1 space per dwelling
One, two and three family dwellings	Not required	Not required
Multi-family dwelling containing 4 or more dwelling units	2 spaces or 1 space per 20 dwelling units	1 space per dwelling unit
Mobile Homes	Not required	Not required
Residential Care Facilities (per bed, based upon maximum capacity)	1 space per 100 beds	1 space per 50 beds
Rooming, Boarding, or Lodging Houses (per guest room)	Not required	1 space for every 10 guest rooms
Commercial Amusements		
Arena / Stadium / Theater (spaces per number of seats)	2 spaces or 1 space per 200 seats	2 spaces or 1 space per 1,000 seats
Bowling Alley	1 space per 4,000 sq. ft. of floor area	1 space per 4,000 sq. ft. of floor area
Dance Hall, Skating Rink	1 space per 500 sq. ft. of floor area	1 space per 4,000 sq. ft. of floor area

[ORD 4224; August 2002]

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. Refer to Section 60.55.65 for additional bicycle facility requirements.
 4. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 5. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

60.30.10.5.

PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category		Minimum Required Bicycle Parking Spaces	
		Short Term	Long Term
Commercial Amusements - continued			
	Recreational Facility	2 spaces, or spaces to meet the combined requirements of the uses being conducted	2 spaces, or spaces to meet the combined requirements of the uses being conducted
Commercial Uses			
	Retail, including shopping centers	2 spaces or 1 space per 12,000 sq. ft. of floor area	2 spaces or 1 space per 12,000 sq. ft. of floor area
	Offices, Administrative Facilities	2 spaces or 1 space per 8,000 sq. ft. of floor area	2 spaces or 1 space per 8,000 sq. ft. of floor area
	Bank, Financial Institutions	2 spaces or 1 space per 8,000 sq. ft. of floor area	2 spaces or 1 space per 8,000 sq. ft. of floor area
	Medical, Dental Clinics	2 spaces or 1 space per 20,000 sq. ft. of floor area	2 spaces or 1 space per 10,000 sq. ft. of floor area

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. Refer to Section 60.55.65 for additional bicycle facility requirements.
 4. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 5. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

60.30.10.5.

PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category		Minimum Required Bicycle Parking Spaces	
		Short Term	Long Term
Commercial Uses - continued			
	Eating, Drinking Establishments	2 spaces or 1 space per 4,000 sq. ft. of floor area	2 spaces or 1 space per 4,000 sq. ft. of floor area
	Mortuaries	Not required	1 space
	Automotive Service, Minor	2 spaces or 1 space per 5,000 sq. ft. of floor area	2 spaces or 1 space per 5,000 sq. ft. of floor area
	Truck, trailer, and automobile rental	Not required	2 spaces
	Temporary Living Quarters	Not required	1 space per 50 guest units
Places of Assembly			
	Auditoria, meeting facilities	1 space per 10,000 sq. ft. of floor area	2 spaces
	Places of Worship	1 space per 10,000 sq. ft. of floor area	2 spaces
	Social or Fraternal Organizations	2 spaces, or spaces to meet the combined requirements of the uses being conducted	2 spaces, or spaces to meet the combined requirements of the uses being conducted

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. Refer to Section 60.55.65 for additional bicycle facility requirements.
 4. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 5. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

60.30.10.5.

PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category		Minimum Required Bicycle Parking Spaces	
		Short Term	Long Term
Places of Assembly - continued			
	Educational Institutions: College, University, Commercial School (spaces / number of FTE students and FTE staff)	Not required	4 spaces per classroom
	Educational Institutions: High School (spaces / number of FTE staff)	Not required	1 space per 18 students
	Educational Institutions: Middle School, Elementary School (spaces / number of FTE staff)	Not required	1 space per 9 students
	Nursery Schools, Day or Child Care Facilities (spaces / number of FTE staff)	Not required	1 space per classroom
	Library, museum, art gallery	1 space per 2,500 sq. ft. of floor area	1 space per 10,000 sq. ft. of floor area
	Park and Ride facilities	Not required	5% of auto spaces
	Transit Centers		
	Bus	Not required	2 spaces per bus bay
	Light Rail (per station)	Not required	10 spaces
Institutions			
	Hospital	1 space per 100 beds	1 space per 50 beds
	Welfare or Correctional Institution (per bed)	1 space per 100 beds	1 space per 50 beds

- Notes:
1. Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 2. Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 3. Refer to Section 60.55.65 for additional bicycle facility requirements.
 4. In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 5. Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.

60.30.10.5.

PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category		Minimum Required Bicycle Parking Spaces	
		Short Term	Long Term
Industrial			
	Manufacturing	Not required	2 spaces, or 1 space per 20,000 sq. ft. of floor area
	Storage warehouse, wholesale establishment, rail or trucking terminal, vehicle or trailer storage.	Not required	2 spaces, or 1 space per 80,000 sq. ft. of floor area

- Notes:
- Parking ratios are based on number of spaces per 1,000 square feet of gross floor area unless otherwise noted.
 - Refer to Section 60.30.10.4. for uses not listed in Section 60.30.10.5.
 - Refer to Section 60.55.65 for additional bicycle facility requirements.
 - In calculating the required number of bicycle parking spaces, fractions equal or more than 0.5 shall be rounded up to the nearest whole number. Fractions less than 0.5 shall be rounded down to the nearest whole number.
 - Where an option is provided under bicycle parking, whichever standard results in the greater number of bicycle parking spaces is the minimum number required. "Not required" means that the provision of bicycle parking is at the option of the property owner.
 - Exceeding Parking Ratios. More parking spaces for motor vehicle and bicycle parking may be required as a condition of a Conditional Use. Variation from the specified minimum or maximum number of required motor vehicle and bicycle parking spaces may be approved by the City subject to Section 40.95., Variances, of this Code. However, if the maximum permitted number of parking spaces and any parking in excess of the maximum permitted is located in a parking structure, the parking ratios may be exceeded without requiring an approval of a Variance for parking.

Any parking in excess of the number of required parking spaces may be designed to any of the City standards for off-street parking lot design. The Facilities Review Committee may recommend approval of parallel parking spaces or other non-standard designs for excess parking in any zone. [ORD 4224; August 2002]

60.30.10.

7. Residential Parking Dimensions. For all residential uses, any required parking space shall not be less than 8 1/2 feet wide and 18 1/2 feet long. (See also Section 60.30.15., Off-Street Parking Lot Design for other standards.) [ORD 4312; June 2004]
8. Parking Space Calculation.
 - A. Multiple Uses. In the case of multiple uses, the total requirements for off-street vehicle and bicycle parking facilities shall be the sum of the requirements for the various uses computed separately.
 - B. Spaces which only meet the requirements of one establishment may serve more than one establishment on the same parking lot, provided that sufficient evidence is presented which shows that the times of peak parking demand for the various establishments do not coincide, and that adequate parking will be available at all times when the various establishments are in operation.
9. Location of Required Vehicle Parking
 - A. All parking spaces provided shall be on the same lot upon which the use requiring the parking is located. Upon demonstration by the applicant that the required parking cannot be provided on the same lot upon which the use is located, the Director may permit the required parking spaces to be located on any lot within 200 feet of the lot upon which the use requiring the parking is located. [ORD 4107; May 2000] [ORD 4224; August 2002]
 - B. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley.
 - C. In R-10, R-7, and R-3.5 zones parking and loading spaces may be located in side and rear yards and may be located in the front yard of each dwelling unit only if located in the driveway area leading to its garage.
 - D. Parking in the front yard is allowed for each dwelling unit in the driveway area leading to its garage. Also, one additional space shall be allowed in that area in front of the required side yard and closest to the driveway subject to the following conditions:

60.30.10.9.D.

1. The owner of the lot upon which the space is sought shall enter into a written agreement allowing the space with the owner of the property on that side closest to the proposed additional space. This agreement shall be binding on the successors in interest to the property of both parties and shall be recorded with the Washington County Department of Records and Elections.
 2. Notwithstanding the agreement of the property owners, the additional space shall not be allowed if it creates a traffic sight obstruction.
 3. The additional space shall be hard surfaced.
10. Exceptions. (ORD 3358) Exceptions to the required vehicle and bicycle parking standards as listed in Section 60.30.10.5. may be granted in the following specific cases:
- A. **Vehicle Parking Reduction for Transit Amenities:** [ORD 3965, October 1996] Any existing use or proposed use on an existing transit route may apply for and the City may reduce the number of required vehicle parking spaces by either five percent or ten percent through provision of a pedestrian plaza. The property owner shall initiate the request for parking space reduction through the City application process.
1. A five percent credit may be approved if:
 - a. The pedestrian plaza is adjacent to a transit route with transit service currently available, and is within 1/4 mile of a major transit stop on that route. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop,
 - b. The pedestrian plaza is open to the public,
 - c. The pedestrian plaza is at least 200 square feet exclusive of connecting walkways,

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- d. A bench, landscaping and trash receptacle is provided as part of the pedestrian plaza. (Landscaping shall not exceed 50 percent of the total area.), and
 - e. The property owner provides a parking analysis demonstrating to the City's satisfaction that the vehicle parking demand for the existing or proposed use will be met with the reduction in place.
2. A ten percent credit may be approved if:
- a. The pedestrian plaza is adjacent to a transit route with transit service currently available, and is within 1/4 mile of a major transit stop on that route. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop,
 - b. The pedestrian plaza is open to the public,
 - c. The pedestrian plaza is at least 300 square feet exclusive of connecting walkways,
 - d. A transit shelter (if required by Tri-Met and the City), landscaping and trash receptacle is provided as part of the pedestrian plaza. (Landscaping shall not exceed 50 percent of the total area.), and
 - e. The property owner provides a parking analysis demonstrating to the City's satisfaction that the vehicle parking demand for the existing or proposed use will be met with the reduction in place.
3. Provision of pedestrian plazas shall be coordinated with Tri-Met through the City's application process and shall be constructed to Tri-Met and City standards.

60.30.10.10.

- B. Transportation Management Association Participation. [ORD 4107; May 2000] The minimum number of off-street parking spaces may be reduced by as much as ten percent (10%), if the applicant agrees to participate in a Transportation Management Association program approved by the City for the area within which the project is located.
- C. [ORD 4107; May 2000] The minimum number of off-street parking spaces may be reduced by as much as thirty percent (30%) subject to all of the following:
1. The combination of uses will permit shared parking sufficient to justify a reduction in the parking standard and the design of the site and parking, and conditions of operation of parking agreed to by the applicant, will promote parking patterns and parking use consistent with the permitted reduction;
 2. The probable long-term occupancy of the building or use, based upon its design, will not generate additional parking demand; and
 3. The applicant agrees to participate in a Transportation Management Association approved by the City for the subarea within which the project is located.
- D. Special Needs Residential. The Director may, upon request, allow a reduction in the number of required off-street vehicle and bicycle parking spaces in housing developments for elderly or handicapped persons if such reduction is deemed appropriate after analysis of the size and location of the development, resident auto ownership, number of employees, possible future conversion to other residential uses and other similar relevant factors. (ORD 3108; April 1979)
- E. Temporary uses. Temporary uses authorized by this Code are exempt from bicycle parking requirements.

60.30.10.10.

- F. For uses located within a 1/4 mile radius of a transit stop, as measured from any portion of a parcel to the centerline of the nearest adjacent public right of way or the center of the station platform, the provision of bicycle parking may be used to reduce minimum vehicle parking requirements at a rate of two long-term bicycle parking spaces per vehicle space, but not more than five percent of the total number of required vehicle parking spaces. The property owner shall provide a parking analysis demonstrating that the vehicle parking demand will be met with the reduced number of vehicle spaces. Bicycle parking used to reduce vehicle parking spaces shall be covered long-term bicycle parking consistent with Section 60.55.65 of this Code.

11. **Compact Cars.** Compact car parking spaces may be allowed as follows:

- A. For residential uses, required vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.7. Parking in excess of the required parking may be provided as compact parking subject to Section 60.30.10.6..
- B. For uses other than residential uses, twenty percent (20%) of the required vehicle parking spaces for long term or designated employee parking lots may be compact spaces. The Facilities Review Committee may recommend allowing more than twenty percent (20%) of the required parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate. [ORD 4224; August 2002]
- C. The Facilities Review Committee may recommend allowing the required parking spaces for short term parking to include spaces for compact cars if the applicant shows that there will be adequate parking for non-compact cars and a method of enforcing the compact car parking is available. [ORD 4224; August 2002]
- D. Compact car parking spaces shall be generally grouped together and designated as such. (ORD 3228; Nov. 1981)60.30.10.

60.30.10.

12. **Carpool and Vanpool Parking Requirements.** [ORD 3965, October 1996] In industrial, institution, and office developments, including government offices, with 50 or more employee parking spaces, at least three percent of the employee parking spaces shall be designated for carpool and/or vanpool parking. For the purposes of this section, carpool is defined as two or more persons per car, and vanpool is defined as five or more persons per van. The carpool/vanpool spaces shall be clearly marked and signed for reserved carpool and/or vanpool parking. The reserved carpool/vanpool parking time may be specified so that the reserved spaces may be used for general parking if the reserved spaces are not occupied after a specific time period, which shall be clearly posted on the sign.

Location: Designated carpool/vanpool spaces shall be the closest employee motor vehicle parking spaces to the building entrance normally used by employees, except for the motor vehicle parking spaces designated for persons with disabilities, which shall be the closest to the building entrance. [ORD 4107; May 2000] [ORD 4302, May 2004]

60.30.15. Off-Street Parking Lot Design. All off-street parking lots shall be designed in accordance with City Standards for stalls and aisles as set forth in the following drawings and tables:

A	=	Parking Angle
B	=	Stall Width
C	=	Stall Depth (no bumper overhang)
D	=	Aisle Width
E	=	Stall Width (parallel to aisle)
F	=	Module Width (no bumper overhang)
G	=	Bumper Overhang
H	=	Backing Area
I	=	Module Intermesh

NOTE:

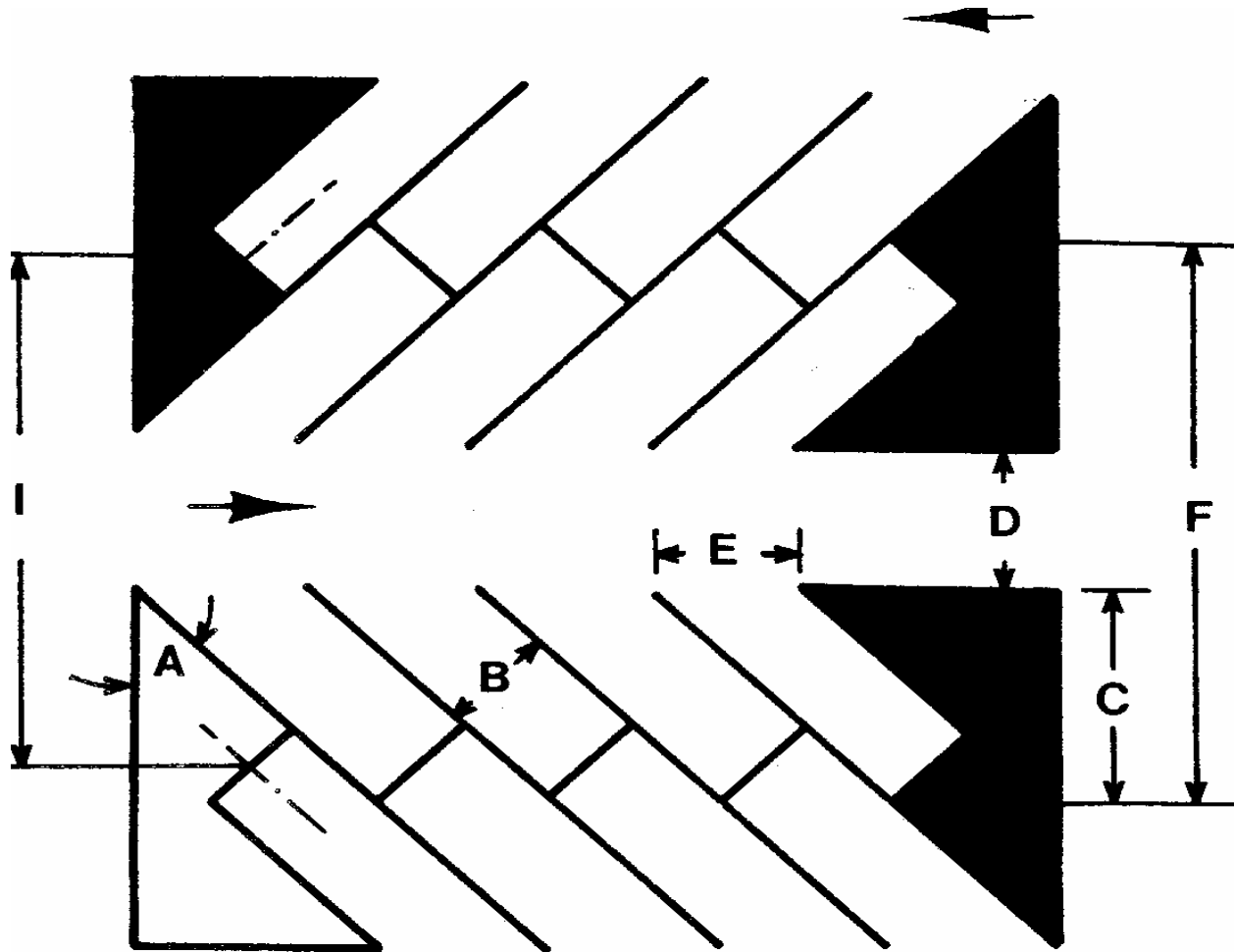
- 1) For one (1) row of stalls use "C" plus "D" as minimum bay width.
- 2) Public alley width may be included as part of dimension "D", but all parking stalls must be on private property, off the public right-of-way.
- 3) For estimating available parking area, use 350 sq. ft. per vehicle for stall, aisle and access areas.
- 4) The stall width for self-parking of long duration is 8.5 feet; for higher turnover self-parking is 9.0 feet; and for supermarkets and similar facilities (shoppers and packages) is 9.5-10 feet.
- 5) The minimum aisle width for two-way traffic and for emergency vehicle operations area is 24 feet. The minimum aisle width for emergency vehicle access (one way traffic) is 20 feet.
- 6) Where appropriate, bumper overhang area is provided (extruded curbs), "G" can be subtracted from "C" to determine stall depth. Dimensions of required recreational vehicle spaces are 10 feet by 25 feet.
- 7) Except where backing occurs into major access then minimum 30 feet.
- 8) Parking lots in conjunction with government and public buildings, as defined by Chapter 31 of the Uniform Building Code, are to include parking for the handicapped as required in that chapter. These special spaces may be included within the total spaces required. (ORD 3494)

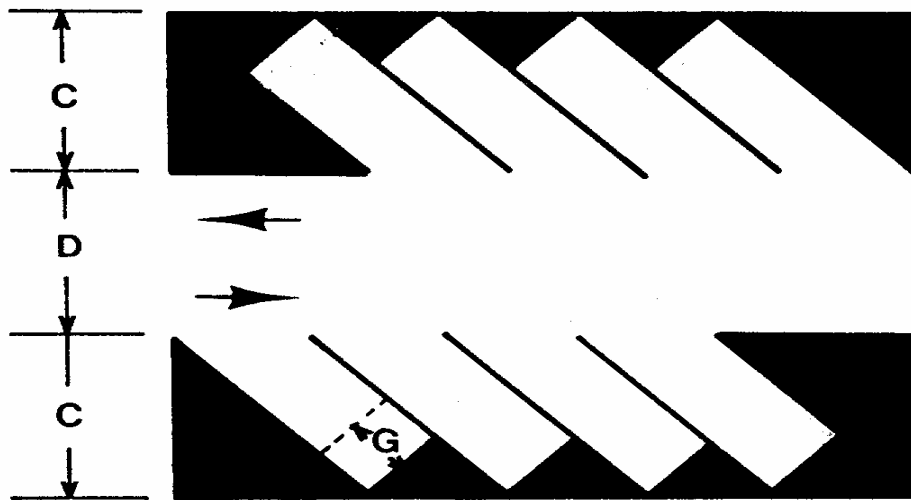
SPECIAL REQUIREMENTS

Off-Street Parking

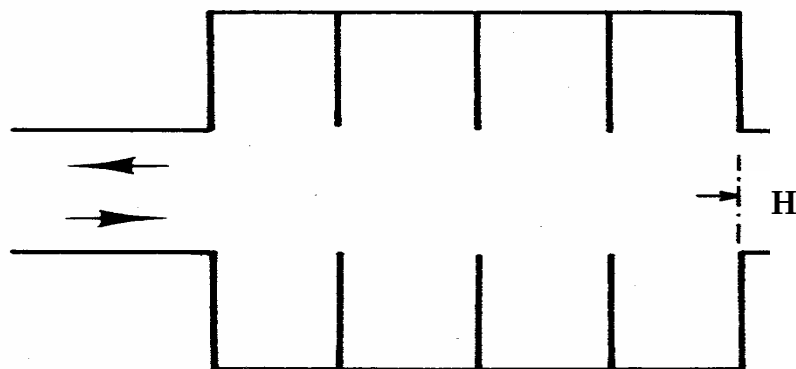
A	B	C	D	E	F	G	H	I
45 degrees	8.5	18.7	12.0	12.0	49.4	2.0	5.0	43.4
60 degrees	8.5	19.8	14.5	9.8	54.1	2.5	5.0	49.9
75 degrees	8.5	19.6	23.0	8.8	62.2	2.5	5.0	60.0
90 degrees	8.5	18.5	24.0	8.5	61.0	3.0	5.0	61.0
90 degrees*	7.5	15.0	24.0	7.5	58.0	2.0	5.0	58.0

*"Compact" Car (Section 60.30.10.)





ANGLE TWO-WAY



90° DEAD END TWO-WAY

- 60.30.20 Off-Street Parking Lot Construction** Every parcel of land hereafter developed for use as a parking area shall conform to the requirements of the *Engineering Design Manual and Standard Drawings*. (ORD 3293; November 1982) [ORD 4302, May 2004] [ORD 4332; November 2004]
- 60.30.25. Enforcement.** The Director is authorized to suspend any permit if the usage of parking by the original use or temporary use or both increases beyond the capacity of the on-site parking or that the use is causing a nuisance to the public or surrounding properties. The Director shall notify the applicant of the Director's intent to suspend the permit and shall provide an opportunity for a hearing prior to suspension. However, in any case where the Director, or any Code Enforcement Officer designated by the Mayor, finds a serious danger to the public health or safety, the Director or Code Enforcement Officer may suspend the permit without a hearing. Upon suspension of a permit, the Director or Code Enforcement Officer may require that the temporary use or structure vacate the site within five working days or can require the use to discontinue operation. The Director shall notify the applicant of the reasons for the action, and the Director shall afford the applicant the opportunity for a hearing within five days from the date of the suspension. The Director may reinstate a suspended permit upon a showing by the applicant that the cause of the suspension has been corrected. Appeal of any decision of the Director shall be pursuant to Section 50.75 of this Code. [ORD 4224; August 2002]

60.35. PLANNED UNIT DEVELOPMENT [ORD 4224; August 2002]

60.35.05 Purpose. It is the purpose of these provisions to allow a planned unit development (PUD) in any City zoning district except Residential-Agricultural (R-A). Uses or combinations of uses may be developed as a single, integral, functional unit or entity. The planned unit development provisions are intended to encourage more creative approaches for developing land, while enhancing and preserving the value, spirit, character, and integrity of surrounding areas which have developed or are developing under conventional district regulations. This is to be accomplished by:

1. Utilizing advances in technology and design.
2. Creating a comprehensive development plan which is equal to or better than that resulting from traditional lot-by-lot land development.
3. Employing design flexibility for locating structures, open spaces, circulation facilities, off-street parking areas, and other improvements.
4. Retaining and protecting special topographic, natural, or environmentally sensitive features on the site.
5. Encouraging innovative design techniques.
6. Utilizing design flexibility afforded by the planned unit development provisions to improve compatibility of the development with surrounding properties and uses.
7. Change from specific site development requirement and combinations of uses is allowable, subject to the provisions of this Code.

60.35.10. Modification of Base Zoning Standards**1. Dimensional Standards**

The dimensional standards for the applicable zoning district as listed in Chapter 20 may be modified through approval of a Planned Unit Development, except for the following situations:

- A. Required setbacks shall continue to apply to the parent parcel upon which the proposed PUD will be located.
- B. The intersection standards in Section 60.55.50 shall continue to be satisfied.

60.35.10.1.

- C. All building setbacks shall continue to meet applicable building and fire code requirements.
- D. Maximum building height standards may be increased up to twelve feet (12') when the applicable building setback distance along the perimeter of the parent parcel is increased at a ratio of 1.5 additional feet of setback for every foot of building height over the base zone standard for building height.

2. Allowed Uses.

- A. Except as provided in Section 60.35.10.2.B. below, the uses in a PUD shall comply with the permitted and conditional use requirements of the base zoning district.
- B. Detached and attached dwellings shall be allowed in any PUD provided the overall residential density satisfies the applicable residential density provisions of this Code.
- C. In addition to the accessory uses and structures typical of the uses authorized in the subject zoning district in which the PUD is located, accessory uses approved as a part of a PUD may include the following:
 - 1. Private park, lake or waterway.
 - 2. Recreation area.
 - 3. Recreation building, clubhouse or social hall.
 - 4. Other accessory use or structure which the decision making authority finds is designed to serve primarily the residents of the PUD, and is compatible with the neighborhood and to the design of the PUD.

60.35.15 Common Open Space.

1. A PUD shall be required to provide common open space according to the following rates:
 - A. An area equal to at least twenty percent (20%) of the subject site when the site is up to and including 10 acres in size.
 - B. An area equal to at least fifteen percent (15%) of the subject site when the site is more than 10 acres and up to and including 50 acres in size.
 - C. An area equal to at least ten percent (10%) of the subject site when the site is more than 50 acres in size.
2. Land required to be set aside as setbacks or buffers shall not be included in the calculation of required open space.
3. Land shown on the final development plan as common open space, and landscaping and/or planting contained therein shall be permanently maintained by and conveyed to one of the following:
 - A. An association of owners or tenants, created as a non-profit corporation under the laws of the state which shall adopt and impose articles of incorporation and bylaws and adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the City Attorney as providing for the continuing care of the space. Such an association shall be formed and continued for the purpose of maintaining the common open space and shall provide for City intervention and the imposition of a lien against the entire planned unit development in the event the association fails to perform as required; or
 - B. A public agency which agrees to maintain the common open space and any buildings, structures, or other improvements which have been placed on it.

60.40. SIGN REGULATIONS

60.40.05. Purpose. The general purpose of this Chapter is to provide one of the principle means for the implementation of the Beaverton Comprehensive Plan, to ensure the continued aesthetic improvement to the City's environment, and to promote traffic safety, all by classifying and regulating the location, size, design, type and number of signs and related matters.

60.40.10. Signs Exempt from Permits and This Ordinance. The following signs are exempt from this ordinance and do not require permits:

1. Traffic or other governmental street signs, such as railroad crossing signs and notices, as may be authorized by the City.
2. Signs of public utility companies indicating danger, or which serve as an aid to public safety, or which show the location of underground facilities or of public telephones.
3. Signs not visible from public right-of-ways. (ORD 3374)

60.40.15. Signs Subject to Ordinance Regulation - No Permit Required. No permit is necessary before placing, constructing or erecting the following signs; however, such signs shall conform to the regulations as specified.

1. Construction Project Sign. One (1) sign may be erected after appropriate building permits have been obtained. No such sign shall exceed sixty-four (64) square feet total face area and thirty-two (32) square feet per face; nor shall it exceed eight (8) feet in height. The sign shall be removed at the time final occupancy is approved by the City building inspector.
2. Garage Sale Sign. Such signs are allowed in residential zones. They shall not exceed a size per face of four (4) square feet and shall not exceed four (4) feet in height. Such signs shall not be erected prior to one (1) week before this event and shall be removed no later than the day after the event. They shall not be placed in the public right-of-way or vision clearance areas.

60.40.15.

3. Gas Station Price Signs. Until such time as a service station must bring its signs into conformance with this ordinance under Section 60.40.45.2., Time for Conformance, one changeable copy sign shall be allowed for the purpose of advertising gasoline price signs. The sign shall be a one (1) or two (2) faced sign with a maximum of six (6) square feet in area per face and shall be permanently affixed to the building or freestanding sign. When a service station must bring its signs into conformance under Section 60.40.45.2., or when a service station requests new signs, this provision shall become void, and a changeable copy sign shall only be allowed as a portion of allowable signing area for this site and not as an additional sign. (ORD 3374)
4. Name Plate. Graphic information on all name plates shall be limited to the identification of the business name as registered with the State of Oregon. One (1) name plate, not exceeding two (2) square feet total shall be allowed for each occupant; the name plate shall be affixed to the exterior wall of the building. [ORD 4139; January 2001]
5. Non-Commercial Sign. Non-commercial signs shall be allowed as a sign in any zone, subject to the same regulations as signs in the particular zone and counted in the quantity limitations of signs for that zone, for each property.
6. Banners. One (1) banner will be allowed either from the date of issuance of building permits until four (4) weeks after issuance of certificates of occupancy, or if no building permit is issued, for four (4) weeks from occupancy of a new business. One banner shall be allowed for multi-family developments. Such banners shall be allowed for no more than four (4) weeks after the final certificate of occupancy for the project. (ORD 3726) [ORD 4332; November 2004]

All banners shall be affixed to exterior wall(s) of the building so as to lie flat. Banners shall not exceed thirty-two (32) square feet in size. [ORD 4139; January 2001]
7. Private Real Estate Transactions. Such signs may be placed as allowed in Sections 60.40.35.5. and 60.40.40.2. of this ordinance.
8. Public Safety and Convenience. Such signs shall not exceed three (3) square feet per face, per sign. (ORD 3374)
9. Window Sign. Such signs shall not exceed twenty percent (20%) of interior window area per window.

60.40.15.

10. Non-commercial Flags. Two non-commercial flags shall be allowed within all zones. (ORD 3374)
11. District, Neighborhood or Major Public Facility Signs. Signs shall not exceed 24" X 30" in size. Placement of signs shall be at locations and in a number and manner determined by the Director and Traffic Engineer to be safe and appropriate for their purpose. All such signs to be owned and maintained by a public agency. (ORD 3464)
12. Temporary Use Sign. Temporary uses as allowed by Section 40.80 of the Development Code, shall be allowed one (1) wall sign thirty- two (32) square feet in area and one (1) double-faced freestanding sign, 16 square feet per face or one (1) single-faced freestanding sign thirty-two (32) square feet in area. The freestanding sign shall not exceed the height of eight feet. A-frame style signs are not allowed. Wall signs must be affixed to a structure. All signs shall be removed from the site when the use ceases operation. (ORD 3494)

60.40.20. Signs Subject to Ordinance Regulation - Permit Required. The following signs are subject to all ordinance regulations and permits are required prior to on-site construction, installation or placement.

1. Changeable Copy Sign. Any sign or portion of a sign permitted by the ordinance may be a changeable copy sign.
2. Fence Sign. Fence signs shall be subject to the same requirements as a freestanding sign and shall not exceed the height of the fence.
3. Freestanding Sign.
4. Real Estate Sign.
5. Wall Sign. [ORD 4139; January 2001]
6. Special Event Sign. The Director shall issue a permit for a special event sign when it is found that its issuance will not be materially detrimental to the public welfare, interest or safety, and not be injurious to adjacent property or improvements. The Director may attach conditions to the permit to ensure compliance with this section.

60.40.20.

7. Projecting Sign and Awning. Such signs and awnings may project up to eight (8) feet beyond a building wall surface, or within two (2) feet of the curb or up to two-thirds (2/3) the width of the sidewalk, whichever is less, as allowed in Section 60.40.35.2. Note: All other signs projecting more than twelve (12) inches from the wall are obstructing signs. [ORD 4107; May 2000]
8. Time and Temperature Sign.
9. Noncommercial Banners or Flags Installed In or Over the Public Right of Way. All signs are to be owned and maintained by a public agency. (ORD 3464, September 1985).

60.40.25. Signs or Advertising Devices Expressly Prohibited. The following signs are prohibited by this ordinance and may not be placed within City limits.

1. Advertising Bench.
2. Advertising Structure (Billboard). Except Garage Sale Signs (Section 60.40.15.2.), Non-Commercial Signs (Section 60.40.15.5) and Real Estate Signs (Section 60.40.40.2.).
3. Flashing Sign.
4. Obstructing Sign.
5. Portable Sign. Except garage sales signs (Section 60.40.15.2.) and real estate signs (Section 60.40.15.7. or 60.40.20.4.), subject to Section 60.40.40.
6. Roof Sign.
7. Rotating or Revolving Sign.
8. Other Prohibitions. In addition to 1. through 7., above, the following are prohibited:
 - A. Signs in vision clearance areas as established in Section 60.55.50.
 - B. Pennants, streamers, festoon lights and other similar devices with parts intended to be moved by the wind.

60.40.25.8.

- C. Signs attached to any tree or public utility pole, other than warning signs issued by public utilities.
- D. Signs using bare-bulb illumination or lighted so that the immediate source of illumination is visible. This is not intended to prohibit the use of neon as a source of illumination.
- E. Signs using flame as a source of light.
- F. Any sign which purports to be or is an imitation of or resembles an official traffic sign or signal, or which bears the words "STOP", "GO", "SLOW", "CAUTION", "DANGER", "WARNING", or similar words.
- G. Any sign which by reason of its size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control device, or which hides from view from any traffic sign or signal.
- H. Signs designed or used for the purpose of emitting sound or dispersing smells.
- I. Signs with a changing electronic message except time and temperature signs.
- J. Inflatable signs containing advertising or logos.

60.40.30. General Provisions

1. Size. The size of a sign shall be the entire area within any type of perimeter or border which encloses the outer limits of any writing, representation, emblem, figure, or character. The area of the sign having no such perimeter or border shall be computed by enclosing the entire area with a parallelogram or a triangle of the smallest size sufficient to cover the entire area of the sign and computing the area of the parallelogram or a triangle. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign. Conforming and/or nonconforming signs in existence at the time of the enactment of this ordinance shall be counted in establishing the permitted area or size of all new signs to be allowed on the property.

60.40.30.

2. Height of Sign. The height of a sign shall be measured from the finished ground level, excluding mounds, berms, etc., to the top of the sign or the highest portion of the sign structure or frame, whichever is greater.
3. Finish Ground Level (Grade). The average elevation of the ground adjoining the structure of building upon which the sign is erected.
4. Location. Sign location shall comply with Section 60.55.50. (Intersection Standards) of this ordinance and shall be accurately represented on sign permit applications. (ORD 3374) [ORD 4139; January 2001]

60.40.35. Commercial, Industrial, and Multiple Use Zones. In commercial, industrial, and multiple use zones, as defined in Sections 20.10, 20.15, and 20.20, the following regulations apply: [ORD 4111; June 2000]

1. Wall Sign. [ORD 4139; January 2001] Wall signs, as defined in Chapter 90, shall be allowed for each business and shall be subject to the following regulations:
 - A. The total amount of allowed signage area for an exterior wall shall be determined by measuring the exterior wall length and the exterior wall height, and in no case shall the exterior wall height measurement for the purpose of determining the allowed wall sign area exceed 25 feet.
 - B. Wall signs shall not to exceed twenty percent (20%) of a building face. The 20% allowance may be divided among the building faces. For example, ten percent (10%) of two building faces or five percent (5%) of four building faces are allowed. The area of each sign shall be computed by applying the allowable percentage to the exterior wall to which the sign will be attached. For buildings which have multiple tenants, the general allowance of 20% shall be divided among the lessees in proportion to their lease frontages, or in another manner approved by the building owner or the Board in the case of a required sign program. (ORD 3374) (ORD 3494)

60.40.35.1.

- C. One hundred percent (100%) of the allowed wall sign area may be located on any portion of the exterior wall that is up to twenty-five (25) feet above finished grade and in no case may any portion of a wall sign be higher than one (1) foot below the top of the exterior wall to which it is attached. For exterior walls that are in excess of twenty-five (25) feet in height, twenty-five percent (25%) of the total allowed wall sign area may be located above the twenty-five (25) foot height and in no case may any portion of a wall sign be higher than one (1) foot below the top of the exterior wall to which it is attached.
 - D. The exposed face of the sign shall be in a plane approximately parallel to the face of said exterior wall and not projecting more than twelve (12) inches.
- 2. Projecting Sign and Awning. Commercial buildings within the Multiple Use zoning districts which have the front building line within five (5) feet of the public right-of-way shall be permitted one (1) projecting sign on the front building face in lieu of a freestanding sign. All projecting signs and awnings must conform to the latest edition of the Uniform Building Code in meeting wind and deadload requirements and must be adequately maintained to prevent deterioration which could be a hazard to pedestrian traffic beneath the sign. Projecting signs and awnings shall project no more than eight (8) feet or two-thirds (2/3) of the width of the sidewalk or to within two (2) feet of the curb, whichever is less, and contain no more than thirty-two (32) square feet per face. Projecting signs and awnings shall have an underneath clearance of eight (8) feet. (ORD 3374) [ORD 4058, August 1999] [ORD 4107; May 2000]
 - 3. Freestanding Sign. Freestanding signs as defined in Chapter 90 shall be allowed per business establishment or tax lot, whichever is less. Tax lots created by fee simple land division and contiguous tax lots under the one ownership shall be considered one tax lot for the purposes of calculating the number of freestanding signs allowed. (ORD 3494) [ORD 4058, August 1999]

60.40.35.3.

Commercial and Industrial Zoning Districts

	OC	CV	NS	CS	GC	LI	IP	CI
A. Number	1	X	1	1	1	1	1	1
B. Size (Maximum sq. ft. for all faces combined)	64	X	64	64	64	64	64	64
C. Size (Maximum for any one face)	32	X	32	32	32	32	32	32
D. Height Maximum	8'	X	8'	15'	15'	8'	8'	8'

Multiple Use Zoning Districts

[ORD 4058, August 1999] [ORD 4107; May 2000] [ORD 4265; September 2003]

	SA-MU, SA-MDR, SC-MU, SC-HDR, SC-E, TC-MU, TC-HDR, TC-MDR, RC-TO, RC-OT, RC-E	C-MU
E. Number	1	1
F. Size (Maximum sq. ft. for all faces combined)	64	64
G. Size (Maximum for any one face)	32	32
H. Height Maximum	15'	8'

- I. Exception for buildings of three (3) stories or greater. When a building is three (3) stories or greater, a one (1) or two (2) face freestanding sign no greater than one hundred (100) sq. ft. total size and fifty (50) sq. ft. per face, may be erected if no wall sign is used.

60.40.35.3.

J. Exceptions for Number of Allowed Freestanding Signs.

1. When the lineal frontage exceeds 300 feet, an additional freestanding sign shall be permitted for each 300 feet of lineal property frontage. Each freestanding sign must be at least 300 feet from any other freestanding sign on the same site along the lineal property frontage. Where lineal property frontage distance would allow four (4) or more signs 1200 lineal feet of property frontage, two (2) of the freestanding signs may be replaced with one (1) double face sign sixty-four (64) square feet per face and not more than twenty (20) feet in height. (ORD 3494)
2. In the case of a through lot which has a distance of 200 feet or greater at its shortest measurement point between the streets, and the frontages are on streets which have a collector or higher status, a freestanding sign may be placed on each street frontage, so long as all freestanding signs on the lot are a minimum of 200 feet apart. (ORD 3494)

K. Master Sign Program. For developments containing three or more businesses, a master sign program may be proposed by the property owner. Master sign programs shall contain the proposed colors, lettering styles, sizes and the location of wall and freestanding signs for tenants in the development. The general allowance of twenty percent (20%) of exterior wall area for wall signs will be used with the allowable square footage divided among lessees. It shall be the responsibility of the development to administer and control any aspect of a master sign program that is more restrictive than the City's sign regulations. Individual business signs which are part of a master sign program are subject to the permit application process. (ORD 3494) [ORD 4139; January 2001] [ORD 4332; November 2004]

L. Combined Freestanding Signs. Two or more owners of adjacent separate premises zoned for commercial use with freestanding signs may combine their street or highway frontage and erect one (1) freestanding sign with combined square footage per face, but not to exceed the height limitation for the zone, or twenty (20) feet if the combined frontage exceeds 1200 feet. No other freestanding signs shall be permitted on the premises of the owners making such an election.

60.40.35.3.

M. Exception for Temporary Signs at Election Times. During a period not to exceed sixty (60) days prior to any special, primary, or general election, the limitations of this section as to number of freestanding signs shall not apply; provided however, that,

1. No signs shall be erected on public property or in the public right-of-way, and
2. All such signs erected pursuant to this subsection shall be removed no later than ten (10) days following the election. (ORD 3494)

4. Window Sign. Display material on windows shall not cover more than twenty percent (20%) of the window area of each window.

5. Real Estate Signs. One (1) single or double faced wall or freestanding real estate sign as defined in Sections 60.40.20.4. and 60.40.15.7. shall be allowed for each property. The height and size requirements of Section 60.40.35.3. apply, including the exceptions for property with more than 300 feet of lineal frontage.

6. Subdivision Signs in Industrial Zones. Platted subdivisions may have a maximum of four (4) double-faced freestanding signs, for the purpose of identifying the subdivision, eight feet high or less. The face size shall not exceed thirty-two (32) square feet. A subdivision sign shall be located at least 100 feet from any other permitted freestanding sign on the same lot. (ORD 3494)

60.40.40. Residential Zones (R-1, R-2, R-3.5, R-4, R-5, R-7, R-10). In residential zones as identified in 20.05, the following signs are allowed:

1. General Provisions.

A. Authorized Non-residential uses. One (1) indirectly lighted sign not to exceed thirty-two (32) square feet in area per face shall be permitted for an authorized or conditional non-residential use not in conjunction with a home occupation. If the sign is to be freestanding, the maximum height of the sign shall not exceed eight (8) feet. (ORD 3374) (ORD 3494)

60.40.40.1.

- B. Subdivisions and Multi-Family Uses. One (1) single or double faced indirectly lighted sign not to exceed thirty-two (32) square feet per face shall be allowed for each subdivision or multi-family unit development. If the sign is to be freestanding, the maximum height of the sign shall not exceed eight (8) feet. (ORD 3374) (ORD 3494)
- C. Temporary Signs at Election Times. During a period not to exceed sixty (60) days prior to any special, primary or general election, any number of lawful, indirectly lighted signs not exceeding eight feet in height may be erected in residential zones; provided, however, that,
 - 1. No signs shall be erected on public property or in the public right-of-way, and
 - 2. All signs erected pursuant to this subsection shall be removed no later than ten (10) days following the election. (ORD 3494)

2. Real Estate Signs.

- A. Real Estate Signs - Single Family Dwellings. When single-family dwellings are for sale, the owner or the owner's authorized representative may erect the following signs: (ORD 3726)
 - 1. Two (2) double faced signs on the lot, not to exceed four square feet per face. (ORD 3726)
 - 2. An unlimited number of portable signs off the property shall be allowed for advertising single-family or condominium residential property being advertised for sale. Only one sign per tax lot shall be allowed for each property being advertised. These signs shall not exceed four (4) square feet per face. Off premise signs shall not be set out before sunrise and shall be removed at dusk. (ORD 3726)

60.40.40.2.

- B. Real Estate Signs - Multi-Family Developments. When multi-family units are for rent, the owner or the owner's authorized representative may erect the following signs:
1. Two (2) double-faced signs on the lot not to exceed four (4) square feet per face. (ORD 3726) [ORD 4071; October 1999]
- C. Real Estate Signs - New Residential Subdivisions. Signs advertising subdivisions involving more than three (3) contiguous lots shall be limited to one (1) double-faced sign of thirty two (32) square feet per face, or two (2) thirty two (32) square foot single faced signs. Such signs shall be placed on the subdivision or the land in question leased by the subdivider. The sign(s) shall be removed at the end of the two (2) years or when ninety percent (90%) of the subdivision lots contain a completed structure, whichever occurs first. These signs may be externally illuminated. (ORD 3726)
- D. Real Estate Signs - New Multi-family Developments. Signs advertising multi-family developments of three (3) or more units shall be limited to one (1) double-faced sign of thirty two (32) square feet per face, or two (2) thirty-two (32) square foot single-faced signs. Such signs may not be placed earlier than the first issuance of a certificate of occupancy for a residential structure. The sign(s) shall be removed no later than 30 days after the issuance of the final certificate of occupancy for a residential structure, or one (1) year from the first issuance, whichever comes first. These signs may be externally illuminated. (ORD 3726)
- E. Real Estate Signs - Vacant Land. Within any residential zone the owner of the subject property or the owner's authorized representative may erect one (1) sign on a vacant parcel of property not exceeding four (4) square feet in area per face. (ORD 3726)
- F. Any sign listed above shall be erected out of the public right-of-way and out of vision clearance areas. (ORD 3726)

60.40.45. Nonconforming Signs.

1. Conformance. All signs, whether erected in conformance with prior sign regulations or pursuant to a variance, shall conform with this ordinance within the period of time prescribed herein.
2. Time for Conformance.

- A. Except as required under Section 60.40.45.2.C., all signs shall be brought into conformance with these requirements within the following time-frame:

	<u>Time Erected Prior to</u> <u>Effective Date of Ordinance</u>	<u>Conformance Deadline</u> <u>from Date of Ordinance</u>
Phase I	Ten or more years	5 years
Phase II	Five to ten years	7 years
Phase III	0 to five years	10 years

- B. In determining date of erection, the original sign permit date shall be used. Legal signs erected prior to permit processes of previous ordinances shall be considered more than ten (10) years old and shall be brought into conformance within Phase I.
- C. When development takes place as described in Section 40.20.15.3.A. of this ordinance, all signs on the site shall be brought into conformance with this ordinance.
- D. The Director shall notify each owner of a nonconforming sign of the conformance deadline within one (1) year of such deadline, as a public service. Failure to be notified of the deadline shall not relieve the owner of responsibility to conform with this ordinance within the time period herein.
- E. Properties annexed to the City after May 9, 1984 shall follow the same conformance schedule as established in subsection A above; the time for conformance shall be measured from the effective date of annexation rather than May 9, 1984. [ORD 4111; June 2000]

60.40.45.

3. Extension for Conformance.

- A. The Director through Section 40.25 (Director's Interpretation) may authorize an extension of no more than one (1) year where it can be shown that special and unusual circumstances related to a specific piece of property make application of the conformance schedule an undue hardship. This hardship shall not result from the actions of the applicant and shall not merely constitute pecuniary hardship or inconvenience. [ORD 4332; November 2004]
- B. The Director through Section 40.25 (Director's Interpretation) may authorize an exemption from the conformance schedule when it can be shown that the sign is within ten percent (10%) of the combined required size and height limitations of this ordinance. (ORD 3374) [ORD 4332; November 2004]

60.40.50. Administration, Enforcement. In addition to the general enforcement provision of Section 10.70, the following enforcement provisions apply to signs:

- 1. Signs in violation of this ordinance are a Class 1 Civil Infraction and may be processed pursuant to City's civil infraction procedure.
- 2. Signs in violation of this ordinance are a nuisance and may be abated pursuant to the City's nuisance abatement procedures contained in Ordinance No. 1218, as amended.
- 3. The remedies used above are cumulative and do not preclude enforcement of the ordinance through the courts including injunctive relief.

(ORD 3227; Nov. 1981)

60.45. SOLAR ACCESS PROTECTION**60.45.05. Purpose.**

This ordinance has been developed to provide solar access protection to new development in subdivisions, to new and remodeled single family homes, to structures within single family zoning districts, and to homes which make beneficial use of solar energy.

1. To promote energy conservation and the wise use of the sun as a renewable resource.
2. To implement provisions of the Beaverton comprehensive plan encouraging solar energy.
3. To provide a means of encouraging investment in solar design and solar equipment.

THE FOLLOWING FIGURES ARE REFERENCED THROUGHOUT THE TEXT PERTAINING TO SOLAR ACCESS PROTECTION:

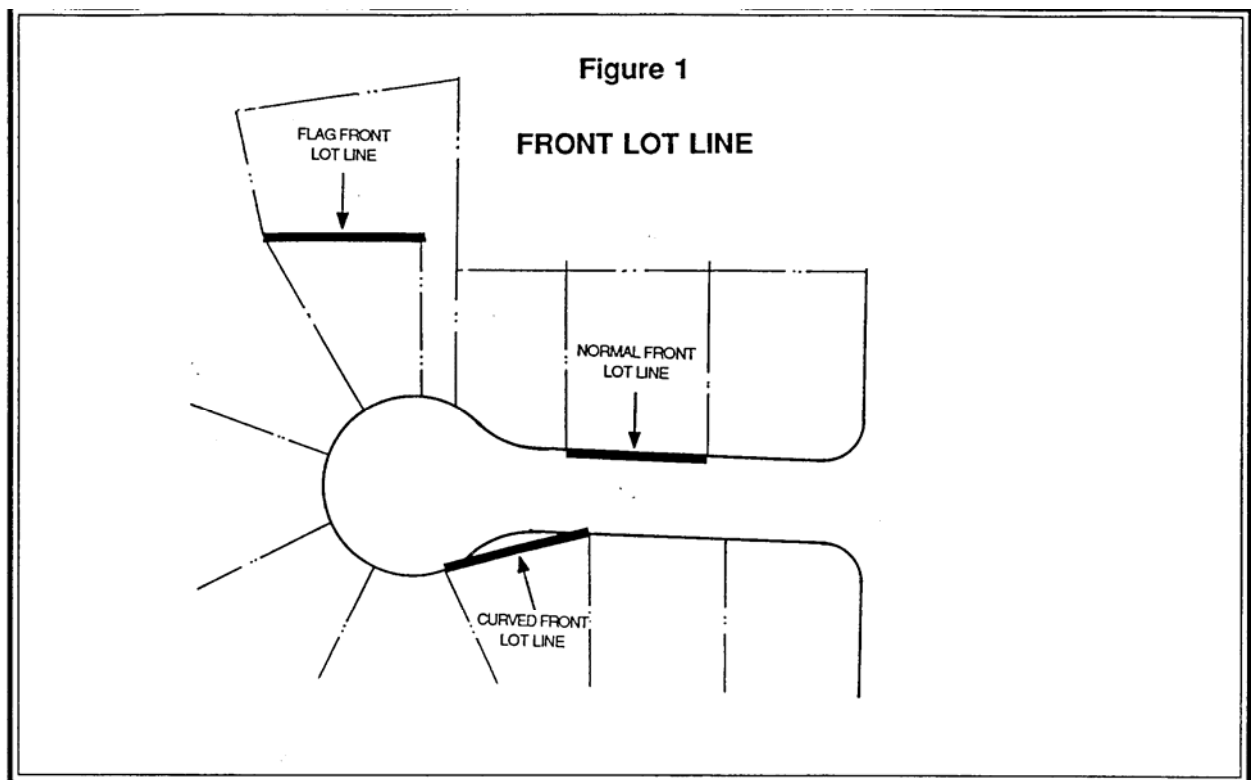


Figure 2

NORTHERN LOT LINE

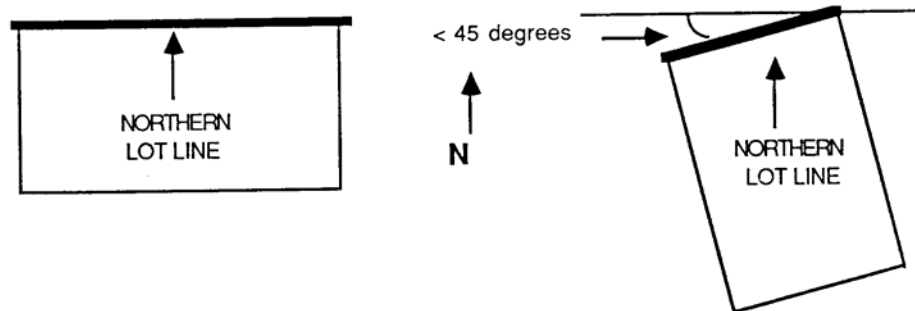


Figure 3

NORTH-SOUTH DIMENSION OF THE LOT

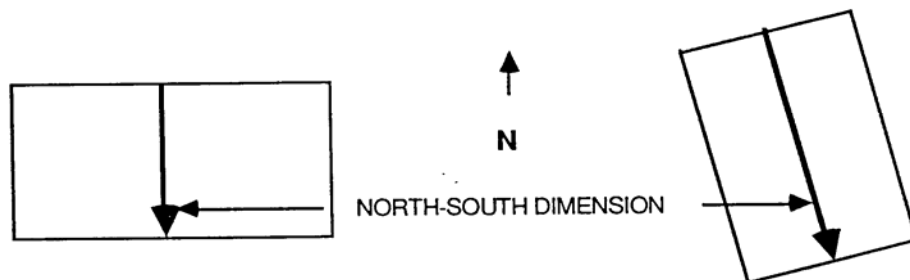


Figure 4

HEIGHT OF THE SHADE POINT OF THE STRUCTURE

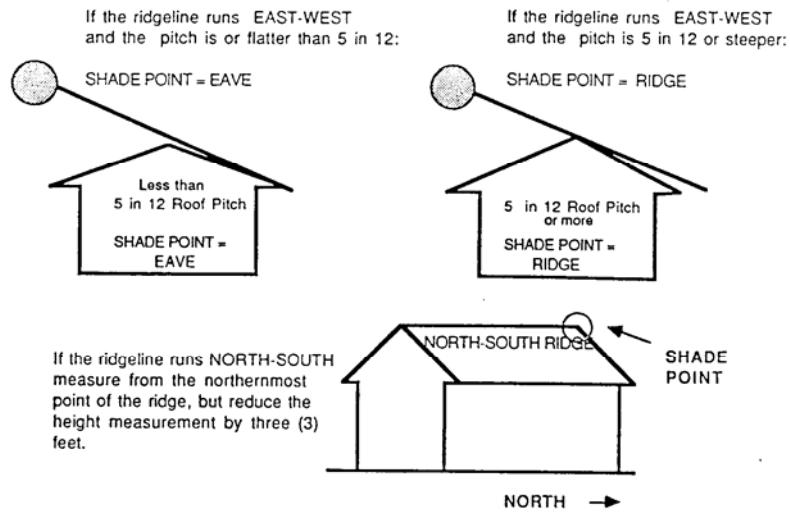
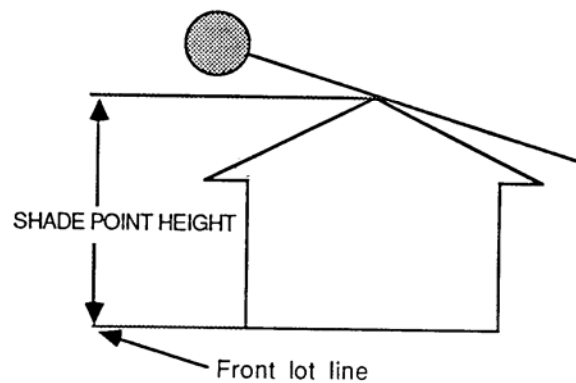


Figure 5

SHADE POINT HEIGHT

Measure to average grade at the front lot line.



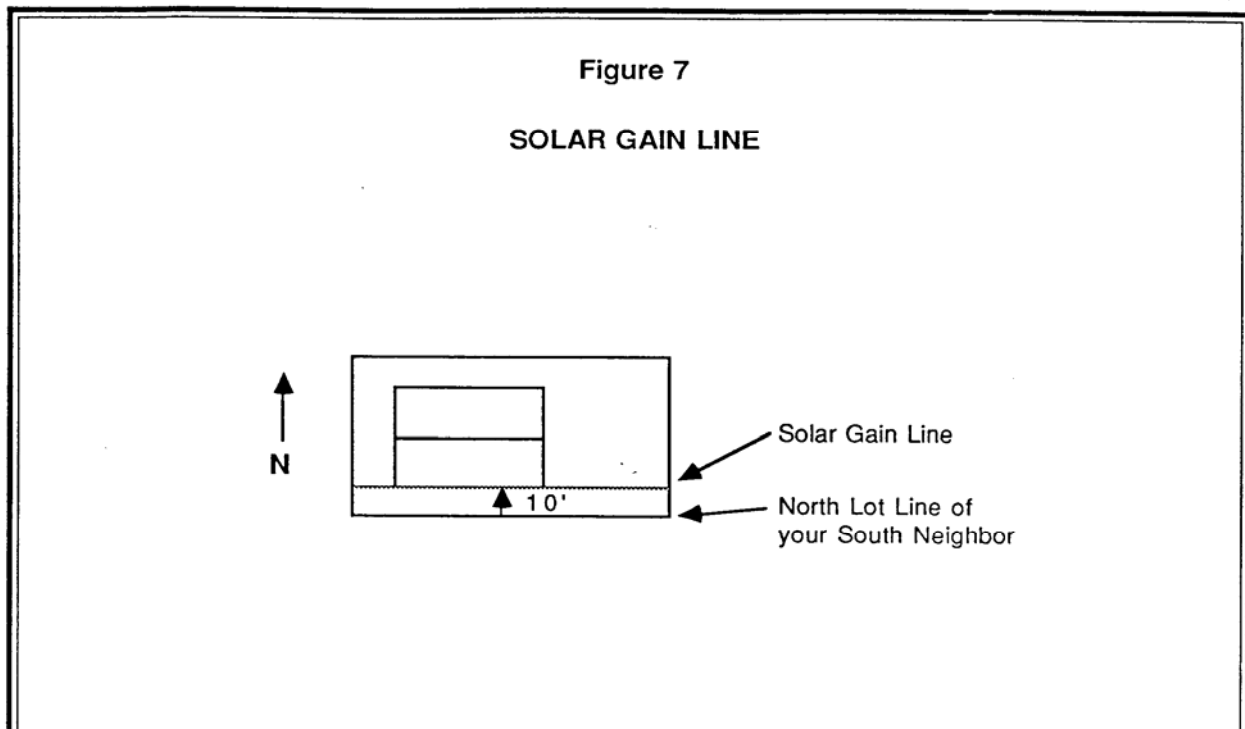
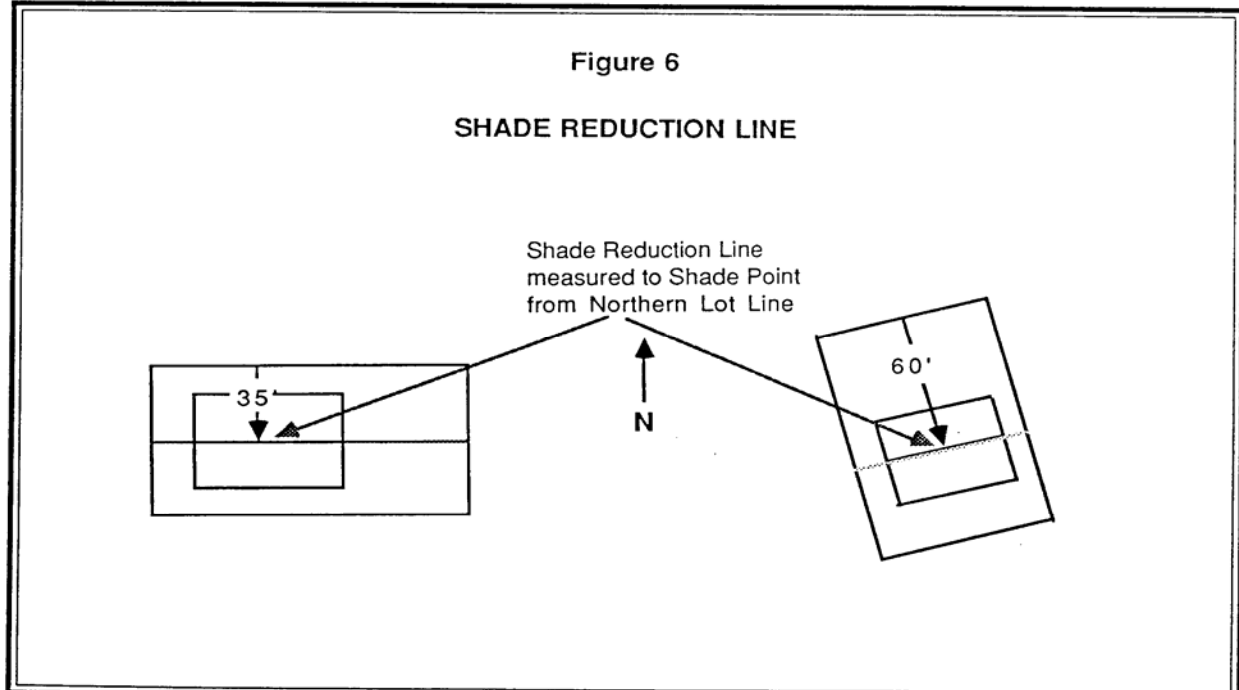
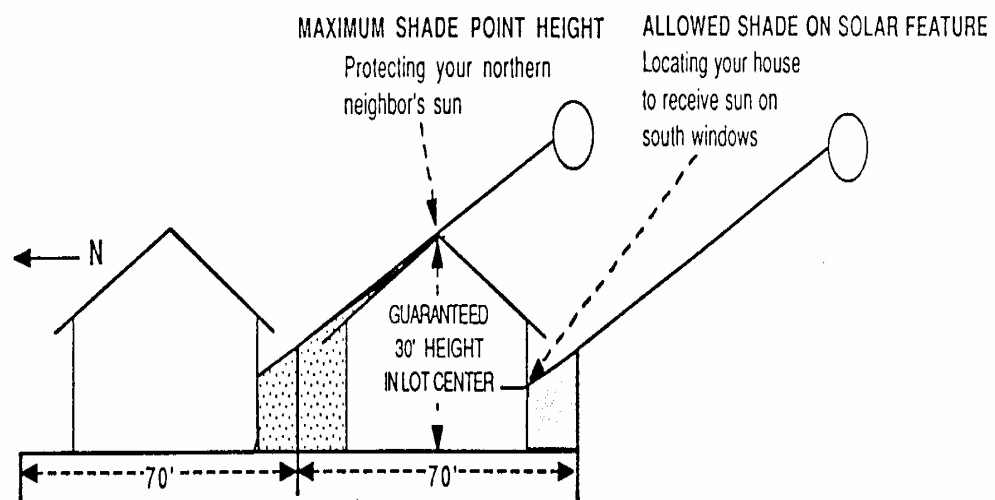


Figure 8

SOLAR BALANCE POINT STANDARD



Standard Side Setbacks



Reduced Side Setbacks

SETBACK ADJUSTMENTS IF NEEDED
TO MEET SOLAR STANDARDS

Figure 9

SOLAR LOT OPTION 1: BASIC REQUIREMENTS

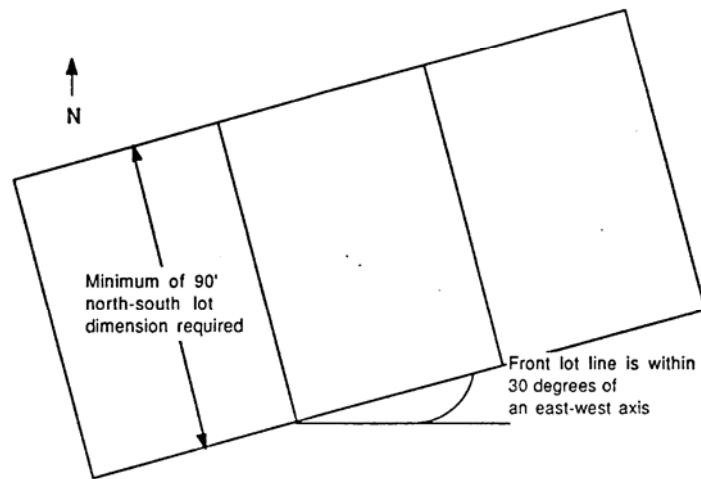


Figure 10

SOLAR LOT OPTION 2: PROTECTED SOLAR BUILDING LINE

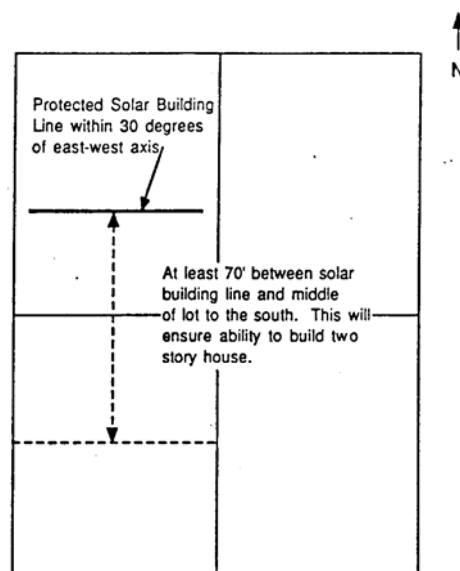


Figure 11

SOLAR ACCESS HEIGHT LIMIT

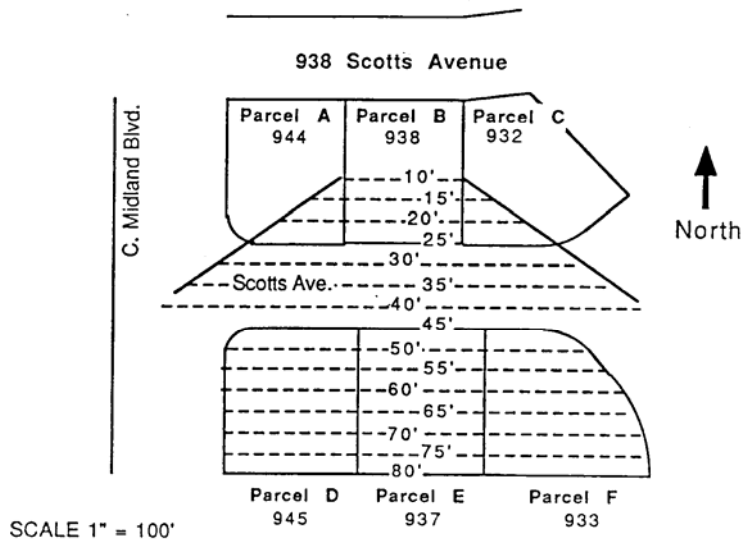
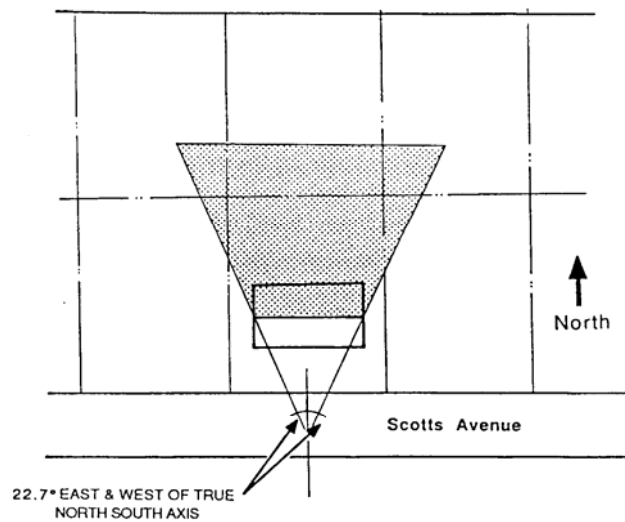


Figure 12

SHADOW PATTERN



60.45.10. Solar Access for New Development.

1. Purpose. The purposes of the solar access ordinance for new development are to ensure that land is divided so that structures can be oriented to maximize solar access and to minimize shade on adjoining properties from structures and trees.
2. Applicability. The solar design standard in subsection 3., below, shall apply to subdivisions and partitions in the R-10, R-7 and R-5 zones and for single family detached dwellings in any zone, except to the extent the Director finds that the applicant has shown one or more of the conditions listed in subsections 4. and 5., below, exist, and exemptions or adjustments provided for therein are warranted.
3. Design Standard. At least 80 percent of the lots in a development subject to this ordinance shall comply with one or more of the options in this section.
 - A. Basic Requirement (see Figure 9). A lot complies with this Section if it:
 1. Has a north-south dimension of 90 feet or more; and
 2. Has a front lot line that is oriented within 30 degrees of a true east-west axis.
 - B. Protected Solar Building Line Option (see Figure 10). In the alternative, a lot complies with this Section if a solar building line is used to protect solar access as follows:
 1. A protected solar building line for the lot to the north is designated on the plat, or documents recorded with the plat; and
 2. The protected solar building line for the lot to the north is oriented within 30 degrees of a true east-west axis; and
 3. There is at least 70 feet between the protected solar building line on the lot to the north and the middle of the north-south dimension of the lot to the south, measured along a line perpendicular to the protected solar building line; and

60.45.10.3.B.

4. There is at least 45 feet between the protected solar building line and the northern edge of the buildable area of the lot, or habitable structures are situated so that at least 80 percent of their south-facing wall will not be shaded by structures or non-exempt vegetation.
- C. Performance Option. In the alternative, a lot complies with this Section if:
- 1) Habitable structures built on that lot will have their long axis oriented within 30 degrees of a true east-west axis and at least 80% of their ground floor south wall protected from shade by structures and non-exempt trees; or
 - (2) Habitable structures built on that lot will have at least 32% of their glazing and 500 square feet of their roof area which faces within 30 degrees of south and is protected from shade by structures and non-exempt trees.
4. Exemptions from Design Standard. A development is exempt from this Section if the Director finds the applicant has shown that one or more of the following conditions apply to the site. A development is partially exempt from this Section to the extent the Director finds the applicant has shown that one or more of the following conditions apply to a corresponding portion of the site. If a partial exemption is granted for a given development, the remainder of the development shall comply with this Section.
- A. Slopes. The site or a portion of the site for which the exemption is sought, is sloped 20 percent or more in a direction greater than 45 degrees east or west of true south, based on a topographic survey by a licensed professional land surveyor.
 - B. Off-site Shade. The site, or a portion of the site for which the exemption is sought, is within the shadow pattern of off-site features, such as but not limited to structures, topography, or non-exempt vegetation, which will remain after development occurs on the site from which the shade is originating.
 1. Shade from an existing or approved off-site dwelling in a single family residential zone and from topographic features is assumed to remain after development of the site.

60.45.10.4.B.

2. Shade from an off-site structure in a zone other than a single family residential zone is assumed to be the shadow pattern of the existing or approved development thereon or the shadow pattern that would result from the largest structure allowed at the closest setback on adjoining land, whether or not that structure now exists.
3. Shade from off-site vegetation is assumed to remain after development of the site if: the trees that cause it are situated in a required setback; or they are part of a developed area, public park, or legally reserved open space; or they are in or separated from the developable remainder of a parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law.
4. Shade from other off-site sources is assumed to be shade that exists or that will be cast by development for which applicable local permits have been approved on the date a complete application for the development is filed.

C. On-site shade. The site, or a portion of the site for which the exemption is requested, is:

1. Within the shadow pattern of on-site features such as, but not limited to structures and topography which will remain after the development occurs; or
2. Contains non-exempt trees at least 30 feet tall and more than 6 inches in diameter measured 4 feet above the ground which have a crown cover over at least 80% of the site or relevant portion. The applicant can show such crown cover exists using a scaled survey or an aerial photograph.

If granted, the exemption shall be approved subject to the condition that the applicant preserve at least 50% of the trees that cause the shade that warrants the exemption. The applicant shall file a note on the plat or other documents in the office of the County Recorder binding the applicant to comply with this requirement. The City of Beaverton shall be made a party of any covenant or restriction created to enforce any provision of this ordinance. The covenant or restriction shall not be amended without written City approval.

60.45.10.

5. Adjustments to Design Standard. The Director shall reduce the percentage of lots that must comply with this Section to the minimum extent necessary if it finds the applicant has shown one or more of the following site characteristics apply.
 - A. Density and cost. If the design standard in this Section is applied, either the resulting density is less than that proposed, or on-site site development costs (e.g. grading, water, storm drainage and sanitary systems, and roads) and solar related off-site site development costs are at least 5% more per lot than if the standard is not applied. The following conditions, among others, could constrain the design of a development in such a way that compliance with this Section would reduce density or increase per lot costs in this manner. The applicant shall show which if any of these or other similar site characteristics apply in an application for a development.
 1. The portion of the site for which the adjustment is sought has a natural grade that is sloped 10 percent or more and is oriented greater than 45 degrees east or west of true south based on a topographic survey of the site by a professional land surveyor.
 2. There is a significant natural feature on the site, identified as such in the comprehensive plan or development ordinance, that prevents given streets or lots from being oriented for solar access, and it will exist after the site is developed.
 3. Existing road patterns must be continued through the site or must terminate on-site to comply with applicable road standards or public road plans in a way that prevents given streets or lots in the development from being oriented for solar access.
 4. An existing public easement or right-of-way prevents given streets or lots in the development from being oriented for solar access. [ORD 4071; October 1999]

60.45.10.5.

- B. Development amenities. If the design standard in this Section applies to a given lot or lots, significant development amenities that would otherwise benefit the lot(s) will be lost or impaired. Evidence that a significant diminution in the market value of the lot(s) would result from having the lot(s) comply with this Section is relevant to whether a significant development amenity is lost or impaired.
- C. Existing shade. Non-exempt trees at least 30 feet tall and more than 6 inches in diameter measured 4 feet above the ground have a crown cover over at least 80% of the lot and at least 50% of the crown cover will remain after development of the lot. The applicant can show such crown cover exists using a scaled survey of non-exempt trees on the site or using an aerial photograph.
 - 1. Shade from non-exempt trees is assumed to remain if: the trees are situated in a required setback; or they are part of an existing or proposed park, open space, or recreational amenity; or they are separated from the developable remainder of their parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law; and they do not need to be removed for a driveway or other development.
 - 2. Also, to the extent the shade is caused by on-site trees on land owned by the applicant, it is assumed to remain if the applicant files in the office of the County Recorder a covenant binding the applicant to retain the trees causing the shade on the affected lots.
- 6. Protection from Future Shade. Structures and non-exempt vegetation must comply with the Solar Balance Point requirements for existing lots (Section 60.45.15) if located on a lot that is subject to the solar design standard in this Section, or if located on a lot south of and adjoining a lot that complies with this Section. The applicant shall file a note on the plat or other documents in the office of the County Recorder binding the applicant and subsequent purchasers to comply with the future shade protection

60.45.10.

7. Process for Approval. Requirements for meeting the provisions of solar access protection shall be processed simultaneously with other application requirements as provided by this ordinance.

60.45.15. Solar Balance Point.

1. Purpose. The purposes of this ordinance are to promote the use of solar energy, to minimize shading of structures and accessory structures, and, where applicable, to minimize shading of structures by trees.
2. Applicability. This ordinance applies to an application for a building permit for all structures in R-10, R-7 and R-5 zones and all single family detached structures and accessory structures in any zone, except to the extent the applicant has shown that one or more of the conditions listed in subsection 5. or 6., below, exists, and exemptions or adjustments provided for there are warranted. In addition, non-exempt vegetation planted on lots subject to the provisions of Section 60.45.10.6. for new development shall comply with the shade point height standards as provided in subsections 4. and 5., below, of this ordinance.
3. Solar Site Plan Required. An applicant for a building permit for a structure subject to this ordinance shall submit a site plan that shows the maximum shade point height allowed under subsection 4., below, and the allowed shade on the proposed structure's solar features as provided in subsection 7., below. If applicable, the site plan also shall show the solar balance point for the structure as provided in subsection 8., below.

60.45.15.

4. Maximum Shade Point Height Standard. The height of the shade point shall comply with either subsection 4.A. or 4.B. below.

- A. Basic Requirement. The height of the shade point shall be less than or equal to the height specified in Table A or computed using the following formula. If necessary interpolate between the 5 foot dimensions listed in Table A.

$$H = \frac{(2 \times \text{SRL} - N + 150)}{5}$$

Where: H = the maximum allowed height of the shade point (see Figure 4 and Figure 5);

SRL = shade reduction line (the distance between the shade point and the northern lot line, see Figure 6); and

N = the north-south lot dimension, provided that a north-south lot dimension more than 90 feet shall use a value of 90 feet for this section.

Provided, the maximum allowed height of the shade point may be increased one foot above the amount calculated using the formula or Table A for each foot that the average grade at the rear property line exceeds the average grade at the front property line.

60.45.15.4.

TABLE A**MAXIMUM PERMITTED SHADE POINT HEIGHT**
(In Feet)

Distance to Shade Reduction Line from northern lot line (in feet)	North-south lot dimension (in feet)												
	100+	95	90	85	80	75	70	65	60	55	50	45	40
70	40	40	40	41	42	43	44						
65	38	38	38	39	40	41	42	43					
60	36	36	36	37	38	39	40	41	42				
55	34	34	34	35	36	37	38	39	40	41			
50	32	32	32	33	34	35	36	37	38	39	40	41	42
45	30	30	30	31	32	33	34	35	36	37	38	39	40
40	28	28	28	29	30	31	32	33	34	35	36	37	38
35	26	26	26	27	28	29	30	31	32	33	34	35	36
30	24	24	24	25	26	27	28	29	30	31	32	33	34
25	22	22	22	23	24	25	26	27	28	29	30	31	32
20	20	20	20	21	22	23	24	25	26	27	28	29	30
15	18	18	18	19	20	21	22	23	24	25	26	27	28
10	16	16	16	17	18	19	20	21	22	23	24	25	26
5	14	14	14	15	16	17	18	19	20	21	22	23	24

- B. Performance Option. The proposed structure, or applicable non-exempt vegetation, will shade not more than 20 percent of the south-facing glazing of existing habitable structure(s), or, where applicable, the proposed structure or non-exempt vegetation comply with Section 60.45.10.3.B. or 60.45.10.3.C. of the solar access provisions for new development. If Section 60.45.10.3.B., Protected Solar Building Line Option, is used, non-exempt trees and the shade point of structures shall be set back from the protected solar building line 2.5 feet for every 1 foot of height of the structure or of the mature height of non-exempt vegetation over 2 feet.

60.45.15.

5. Exemption from the Maximum Shade Point Height Standard. The Director shall exempt a proposed structure or non-exempt vegetation from subsections 3. and 4., above, of this ordinance if the applicant shows that one or more of the conditions in this section exists, based on plot plans or plats, corner elevations or other topographical data, shadow patterns, suncharts or photographs or substantial evidence submitted by the applicant.
 - A. Exempt Lot. When created the lot was subject to the solar access provisions for New Development and was not subject to the provisions of Section 60.45.10.6.
 - B. Pre-existing shade. The structure or applicable non-exempt vegetation will shade an area that is shaded by one or more of the following:
 1. An existing or approved building or structure;
 2. A topographic feature;
 3. A non-exempt tree that will remain after development of the site. It is assumed a tree will remain after development if it: is situated in a building setback required by local ordinance; is part of a developed area or landscaping required by the City, a public park or landscape strip, or legally reserved open space; is in or separated from the developable remainder of a parcel by an undevelopable area or feature; or is on the applicant's property and not affected by the development. A duly executed covenant also can be used to preserve trees causing such shade.
 - C. Slope. The site has an average slope that exceeds 20 percent in a direction greater than 45 degrees east or west of true south based on a topographic survey by a licensed professional land surveyor.

60.45.15.5.

- D. Insignificant benefit. The proposed structure or non-exempt vegetation shades one or more of the following:
 - 1. An undevelopable area; or
 - 2. The wall of an unheated space, such as a typical garage; or
 - 3. Less than 20 square feet of south-facing glazing.
 - E. Public Improvement. The proposed structure is a publicly owned improvement.
6. Adjustments to the Maximum Shade Point Height Standard. The Director shall increase the maximum permitted height of the shade point determined using subsection 4., above, to the extent it finds the applicant has shown one or more of the following conditions exist, based on plans or plats, corner elevations or other topographical data, shadow patterns, suncharts or photographs, or other substantial evidence submitted by the applicant.
- A. Physical conditions. Physical conditions preclude development of the site in a manner that complies with subsection 4., above, due to such things as a lot size less than 3,000 square feet, unstable or wet soils, or a drainage way, public or private easement, or right of way.
 - B. Conflict between the Maximum Shade Point Height and Allowed Shade on the Solar Feature Standards. A proposed structure may be sited to meet the solar balance point standard described in subsection 8., below, or be sited as near to the solar balance point as allowed by subsection 8., below; if:
 - 1. When the proposed structure is sited to meet the maximum shade point height standard determined using subsection 4., above, its solar feature will potentially be shaded as determined using subsection 7., below; and

60.45.15.6.B.

2. The application includes a form provided by the City that:
 - a. Releases the applicant from complying with subsection 4., above, and agrees that the proposed structure may shade an area otherwise protected by subsection 4., above.
 - b. Releases the City from liability for damages resulting from the adjustment; and
 - c. Is signed by the owner(s) of the properties that would be shaded by the proposed structure more than allowed by the provisions of subsection 4., above.
3. Before the Building Official issues a permit for a proposed structure for which an adjustment has been granted pursuant to subsection 6.B., above, the applicant shall file the form provided for in subsection 6.B.2. above in the office of the County Recorder with the deeds to the affected properties.

7. Analysis of Allowed Shade on Solar Feature

- A. The applicant is exempt from this section if the lot(s) south of and adjoining the applicant's property is exempt from subsection 4., above, of this ordinance.
- B. Applicants shall be encouraged to design and site a proposed habitable structure so that the lowest height of the solar feature(s) will not be shaded by buildings or non-exempt trees on lot(s) to the south. The applicant shall complete the following calculation procedure to determine if the solar feature(s) of the proposed structure will be shaded. To start, the applicant shall choose which of the following sources of shade originating from adjacent lot(s) to the south to use to calculate the maximum shade height at the north property line:
 1. Existing structure(s) or non-exempt trees; or

60.45.15.7.B.

2. The maximum shade that can be cast from future buildings or non-exempt trees, based on Table C. If the lot(s) to the south can be further divided, then the north-south dimension shall be assumed to be the minimum lot width required for a new lot in that zone.
- C. The height of the lowest point of any solar feature of the proposed structure shall be calculated with respect to either the average elevation or the elevation at the midpoint of the front lot line of the lot to the south.
- D. The applicant shall determine the height of the shadow that may be cast upon the applicant's solar feature by the source of shade selected in subsection b. by using the following formula or Table B.

$$\text{SFSH} = \text{SH} - (\text{SGL}/2.5)$$

Where: SFSH = The allowed shadow height on the solar feature (see Figure 8).

SH = the height of the shade at the northern lot line of lot(s) to the south as determined in subsection 7.b., above.

SGL = the solar gain line (the distance from the solar feature to the northern lot line of adjacent lot(s) to the south, see Figure 7).

60.45.15.7.D.

TABLE B**MAXIMUM PERMITTED HEIGHT OF SHADOW AT SOLAR FEATURE**
(In Feet)Distance from
Solar Gain
Line to Lot
Line (In Feet)Allowed Shade Height at Northern Lot Line
of Adjacent Lot(s) to the South (In Feet)

	22	21	20	19	18	17	16	15	14	13	12
50	2	1									
45	4	3	2	1							
40	6	5	4	3	2	1					
35	8	7	6	5	4	3	2				
30	10	9	8	7	6	5	4	3	2	1	
25	12	11	10	9	8	7	6	5	4	3	2
20	14	13	12	11	10	9	8	7	6	5	4
15	16	15	14	13	12	11	10	9	8	7	6
10	18	17	16	15	14	13	12	11	10	9	8
5	20	19	18	17	16	15	14	13	12	11	10

Table C may be used to determine (SH) in the above formula.

TABLE C

	North-south lot dimension of adjacent lot(s) to the south													
	100	95	90	85	80	75	70	65	60	55	50	45	40	
Allowed shade height at the north property line of adjacent lot(s) to south	12	12	12	13	14	15	16	17	18	19	20	21	22	

- E. If the allowed shade height on the solar feature calculated in subsection D. is higher than the lowest height of the solar feature calculated in subsection C., the applicant shall be encouraged to consider any changes to the house design or location which would make it practical to locate the solar feature so that it will not be shaded in the future.

60.45.15.

8. Solar Balance Point. If a structure does not comply with the maximum shade point height standard in subsection 4., above, and the allowed shade on a solar feature standard in subsection 7., above, then the solar balance point of the lot shall be calculated (see Figure 8). The solar balance point is the point on the lot where a structure would be the same from complying with both of these standards.
9. Yard Setback Adjustment. The City shall grant an adjustment to the side, front and/or rear yard setback requirement(s) by a maximum of 50% to build a proposed structure so it complies with either the shade point height standard in subsection 4., above, the allowed shade on a solar feature standard in subsection 7., above, or the solar balance point standard in subsection 8., above, as provided herein (see Figure 8). This adjustment shall apply only if necessary for a structure to comply with the applicable provisions of this ordinance and only so long as the adjustment does not conflict with specific conditions placed upon the property in question, such as easements. The following list illustrates yard adjustments permitted under this section: (ORD 3838)
 - A. R-5 Zone(s):
 1. A front yard setback may be reduced to not less than 15 feet.
 2. A rear yard setback may be reduced to not less than 10 feet.
 3. A side yard setback may be reduced to not less than 3 feet.
 - B. R-7 Zone(s):
 1. A front yard setback may be reduced to not less than 15 feet.
 2. A rear yard setback may be reduced to not less than 10 feet.
 3. A side yard setback may be reduced to not less than 3 feet.
 - C. R-10 Zone(s);
 1. A front yard setback may be reduced to not less than 15 feet.
 2. A rear yard setback may be reduced to not less than 15 feet.

60.45.15.9.C.

3. A side yard setback may be reduced to not less than 5 feet.
10. Application and review process. An application for a building permit shall include the information necessary to meet the provisions of this ordinance. The Building Official shall refer the plan to the Director for approval prior to issuing a building permit, or the Director may delegate this responsibility for review and approval to the Building Official. This review shall consist of determining compliance with those sections reference in subsection 9., above. (ORD 3838)

60.50. SPECIAL USE REGULATIONS**60.50.03 Accessory Dwelling Unit** [ORD 4048; June 1999]

1. **Purpose.** Accessory dwelling units are intended to increase the City's housing stock while minimizing neighborhood impacts, respecting the scale and design of detached dwelling residential neighborhoods, and maintaining their character. At the same time, accessory dwelling units are not intended to apply toward any minimum density requirements in other sections of this Code. [ORD 4224; August 2002]
2. **Design Standards.** The following design standards are specific to the construction of an accessory dwelling unit. The standards are intended to ensure that the accessory dwelling units are compatible in scale, architectural design, and accessory to the primary residence. Where development standards are absent in this section, the development standards of the underlying zone apply.
 - A. An accessory dwelling unit may be created in the following manner:
 1. Conversion of existing living area, attic, basement or required parking;
 2. Adding floor area, subject to the limitations of the zoning district in which it is located;
 3. Constructing a new structure, attached structure, or manufactured home with an internal or detached accessory dwelling unit.
 - B. Parking.
 1. Where the accessory dwelling unit is built on parking areas required for the primary dwelling, the required parking shall be replaced on site.
 2. One additional parking space is required on site.
 - C. Location.
 1. Accessory dwelling units must be attached by the floor, ceiling, wall, or portion thereof to the primary unit or must be separated by 8-feet from the primary unit.

60.50.03.2.C.

2. Accessory dwelling units shall be built in accordance with state and local codes.

[ORD 4224; August 2002]

60.50.05. Accessory Uses and Structures. (Other than Accessory Dwelling Units) [ORD 4048; June 1999]

1. Uses and structures normal, incidental and subordinate to the uses allowed as permitted uses in any zone are allowed as accessory uses and structures subject to the provisions of this section.
2. Accessory uses and structures for conditional uses shall be allowed only after approval of an Administrative Conditional Use pursuant to Section 40.15.15.3. and only after the principal use has been granted through the Conditional Use process. [ORD 4111; June 2000]
3. All accessory buildings must comply with the following provisions:
 - A. They shall have no more than 700 square feet of floor area; (ORD 3162) [ORD 4224; August 2002]
 - B. They shall not exceed one story;
 - C. They shall not be allowed in a required front yard;
 - D. They shall not be located within eight (8) feet of main building or other accessory building; [ORD 4224; August 2002]
 - E. They shall be located no closer than three (3) feet to any lot line nor built over an easement, whichever is the most restrictive; (ORD 3293; November 1982); [ORD 4224; August 2002]
 - F. They shall cause no encroachment upon or interference with the use of any adjoining property or public right-of-way;
 - G. They shall be built in accordance with building codes. (ORD 3293; November 1982).
4. A conflict of interpretation concerning whether a use or structure is an accessory use or structure shall be resolved in accordance with the provisions of Section 10.20.

60.50.05.

5.
 - A. The Council may, by resolution, establish a list of uses found not to be accessory to specific permitted uses.
 - B. Prior to including a use on such list the City Council shall hold a public hearing and allow interested persons an opportunity to testify on the matter.
 - C. The City Council may delegate to the Planning Commission the authority to perform the functions authorized and required by this subsection.

60.50.10. Height Regulations. The height limitations contained in this ordinance do not apply to normal appurtenances placed on or extending above the roof level, such as spires, belfries, cupolas, chimneys, antennas, except antennas for wireless communication facilities, ventilators, elevator housing, or other structures; provided, however, that no structure shall be erected which fails to comply with any applicable state or federal law or regulation. (ORD 3293; November 1982) [ORD 4107; May 2000] [ORD 4248; April 2003]

60.50.15. Projections into Required Yards and Public Right-of-Way. (ORD 3162; March 1980)

1. The following structures may project into required yards, but may not project into a utility easement:
 - A. Paved terraces may project into required front, side or rear yards provided that no structures placed thereon shall violate other requirements of this ordinance.
 - B. Unroofed landings and stairs may project into required front and rear yards only.
 - C. Window sills, belt courses, cornices, eaves and similar incidental architectural features may project not more than 2 feet into any required yard.
 - D. Open fire escapes shall not project more than 4 feet, 6 inches into any required yard.

60.50.15.1.

- E. Chimneys shall not project more than 24" into any required yard.
 - F. Bay windows may project into the front and rear yard setback by not more than 2 feet. (ORD 3739)
2. Buildings lying within the Regional Center District (RC-TO, RC-OT, RC-E) zones may have the following projections into the public right-of-way; (ORD 3352) [ORD 4058, August 1999]
- A. Planters;
 - B. Awnings and Canopies; [ORD 4107; May 2000]
 - C. Ornamental and architectural features.

The type, size and other features of the projections may be approved by the appropriate decision making authority after receiving a recommendation from the Facilities Review Committee. The decision making authority may also impose reasonable conditions. (ORD 3162; March 1980) [ORD 4224; August 2002]

3. Except as Otherwise Permitted: (ORD 3293)
- A. No person shall obstruct any public right-of-way or any portion thereof or place or cause to be placed therein or thereon anything whatsoever tending to obstruct or interfere with the full and free use of such public right-of-way or in any degree interfere with the normal flow of pedestrian or vehicular traffic.
 - B. No person shall erect, construct, build, raise, place or maintain any post, pole, sign, wall, fence, tree, building structure or any other object in or upon any public right-of-way, except trees planted in planter strips.
 - C. No person in charge of property shall allow anything prohibited by this section or which otherwise restricts the public use of a sidewalk or parking strip abutting such property to remain there.

60.50.20. Fences. Fences in any district may be constructed at the lot line; provided, however, that fences shall comply to all applicable standards established in Section 60.55.50.1. for setback and height limits. (ORD 3162; March 1980) (ORD 3287; October 1982)

60.50.25. Uses Requiring Special Regulation. In addition to other standards and requirements by this ordinance, all uses included in this section shall comply with the provisions stated herein. Should a conflict arise between the requirements of this section and other requirements of this ordinance, the more restrictive provision shall control.

1. Kennels, Riding Academies and Stables. Kennels, riding academies and stables shall be located not less than 200 feet from any lot line. Applications for such use when required by this ordinance shall include information which describes the applicant's intended actions to insure that odors, dust, noise, and drainage from the use will not create a nuisance, hazard or health problem to adjoining property uses.
2. Animal Hospitals. An animal hospital shall not be located within 100 feet of a lot in any Residential District. The applicant shall provide information which describes the measures and controls to be taken that are intended to prevent offensive noise and odor. No incineration of refuse shall be permitted on the premises. [ORD 4332; November 2004]
3. Cemetery, Crematory, Mausoleum, Columbarium. A cemetery, crematory, mausoleum, or columbarium shall be located to have a principal access to site by way of a street with a collector or higher designation as established by the Comprehensive Plan.
4. Churches, Hospitals, or other Religious or Eleemosynary Institutions. In any residentially zoned property such uses shall be located on a street with a collector or higher designation as established by the Comprehensive Plan. All buildings shall be set back a minimum of 30 feet from a side or rear property line abutting a residential district. (ORD 3162; March 1980) (ORD 3739)
5. Deleted (ORD 4312; June 2004)

60.50.25.

6. Aircraft Landing Facilities. All aircraft landing facilities shall be so designed and so oriented, that the incidence of aircraft passing directly over dwellings during landing or take off is minimized. They shall be located so that traffic, both land and air, shall not severely impact neighboring uses. Applications shall describe the measures taken to prevent noise, vibrations, dust and glare. New aircraft landing facilities shall require a Conditional Use. Prior to obtaining approval for a landing facility, the applicant shall furnish proof of compliance with applicable State and Federal laws and regulations.
7. Natural Resource Extraction.
 - A. Any natural resource extraction operation shall require a Conditional Use. In addition to the information normally required for a Conditional Use application, the following shall also be supplied:
 1. Graphic (and legal) description of the area.
 2. Existing topographic contours (not more than 10 feet contour intervals).
 3. Finished topographic contours when extraction is completed (not more than 10 feet contour intervals).
 4. Existing and proposed buildings and structures on the site.
 5. Principal access points which will be used by truck and equipment, ingress and egress points, internal circulation, and anticipated traffic volume.
 6. Indication of the existing landscape features.
 7. Location and nature of other operations, if any, which are proposed to take place on the site.
 - B. A narrative statement shall also be submitted with the application for a Conditional Use which shall set forth in detail the following information:
 1. Method of drainage.

60.50.25.7.B.

2. Method of fencing or barricading the petition area to prevent casual access.
3. Estimated amount of material to be removed from the site.
4. Estimated length of time necessary to complete the operation.
5. Description of operations or processing which will take place on the site during and after the time and material is extracted.
6. Plan or program of regarding and reshaping the land for future use.
7. Proposed hours of operation.
8. Other pertinent information that may pertain to the particular site.
9. Method to abate overloading of trucks and consequent spillage upon highways.

C. General requirements.

1. Principal access to the site shall minimize the use of residential streets, and access roads shall be treated in a manner so as to make them dust free; further, where access roads intersect arterials, suitable traffic controls shall be established.
2. A strip of land at the existing topographic level, and not less than 15 feet in width, shall be retained at the periphery of the site wherever the site abuts a public right-of-way. This periphery strip shall not be altered except for access points.

60.50.25.7.C.

3. All banks shall be graded to a slope no steeper than two (2) units horizontal to one (1) unit vertical unless a soils report provides sufficient information to satisfy the City Engineer that a steeper slope would have long term stability. No concentrated drainage shall be directed onto any slope greater than 15 percent. Slope banks created at the working surface of the excavation shall be kept safe, but shall only need to conform to the above after work has ceased on that surface for a period of one year.
4.
 - a. No alteration to drainage flow onto, or out of property shall be made except as in accordance with a grading and drainage plan approved by the City Engineer. No water shall be retained on site by a dam rising above the natural contour of the site without a plan approved by the City Engineer.
 - b. No pit shall be excavated to a depth which will intersect an imaginary line, extending from the property line, at an angle of 45 degrees from the horizontal downward into the earth. This condition may be waived by the owner of property abutting said property line or by submittal of a soils report demonstrating, to the satisfaction of the City Engineer, that the surcharge which could be generated by a structure on said adjacent property is fully supported by a lesser requirement.
8. Nursery Schools, Day or Child Care Facilities. Nursery schools and day or child care facilities shall provide and thereafter maintain outdoor play areas with a minimum area of 100 square feet per 1/3 the total licensed capacity of children. The Director may approve reduction of this requirement if the facility cares only for infants up to 6 months in age. In all districts, a fence of at least five (5) feet but not more than six (6) feet in height shall be provided separating the outdoor play area from abutting lots.

Facilities licensed for 40 or more children may be required to have a driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children. The Facilities Review Committee may recommend whether the special driveway design is required, or not. [ORD 4224; August 2002]

60.50.25.8.

If a Conditional Use is required, in addition to that normally required for a Conditional Use the following information shall also be supplied:

- A. The maximum number of children the facility is proposed to be licensed to care for;
 - B. Ages of the children to be cared for;
 - C. List of any exceptions to the rules governing standards for day care facilities the applicant will be applying for to the Children's Services Division. (ORD 3181, June 1980)
9. Portable Classrooms. Public and private schools shall be permitted to maintain no more than two portable classrooms per school site for a period of no more than one calendar year. The governing body of the school shall obtain a Conditional Use prior to placing any additional portable classrooms on a site occupied by two portables, or if the portables allowed on a site are to remain on the site for a period longer than one calendar year. (ORD 3293; November 1982) [ORD 4224; August 2002]
10. Poultry Farms. In the R-A zone, any building housing more than ten (10) poultry animals shall be located not less than 200 feet from every lot line. Odor, dust, noise, insects or drainage created or fostered by such use shall be controlled in a manner such that surrounding properties and uses are not adversely impacted. (ORD 3293; November 1982)
11. Utilities.
- A. The erection, construction, alteration, or maintenance by public utility or municipal or other governmental agencies of any electrical, gas, steam or water transmission or distribution systems, collection, communication, supply or disposal system, including poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, but not including buildings, shall be permitted in any district.

60.50.25.11.

- B. Private utility services to all structures, residential, commercial, and industrial, on private property shall be placed underground and meet the standards specified by the City Engineer. This requirement may be waived where the Director and City Engineer determine that the requirement is impractical or would cause undue hardship. (ORD 3292; November 1982) [ORD 4118; August 2000]
- 12. Drop Boxes. Recycling receptacles or charity drop boxes shall not be located in any residential district or in any public right-of-way. Recycling receptacles or charity drop boxes are permitted in any commercial or industrial zone.
- 13. Park and Ride Facilities. Approved off-street parking lots connected with a non-residential use may be used jointly as park and ride lots if, by determination of the Director after receiving a recommendation from the Facilities Review Committee, the park and ride use will not conflict with the parking needs of the site's principal use both in terms of traffic volume and hours of use, and as long as there are no specific conditions placed on the site by the Director, Planning Commission, Board of Design Review, or the City Council which would preclude such use. Park and ride lots as principal uses are permitted in those zones allowing parking structures and surface parking lots. (ORD 3204; January 1981) [ORD 4224; August 2002]
- 14. Noise Levels. Noise levels shall meet the standards established by the State of Oregon Department of Environmental Quality. (ORD 3293)
- 15. Air Quality. Air quality shall meet the standards established by the State of Oregon Department of Environmental Quality. (ORD 3293)

60.55 TRANSPORTATION FACILITIES

60.55.05 Purpose and Intent. It is the purpose and intent of this chapter to establish design standards and performance requirements for all streets and other transportation facilities constructed or reconstructed within the City of Beaverton.

60.55.10 General Provisions. [ORD 4302; May 2004]

1. All transportation facilities shall be designed and improved in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more other governmental agencies, the City shall condition the development to obtain permits required by the other agencies.
2. In order to protect the public from potentially adverse impacts of the proposal, to fulfill an identified need for public services related to the development, or both, development shall provide traffic capacity, traffic safety, and transportation improvements in rough proportion to the identified impacts of the development. [ORD 4103; April 2000]
3. For applications that meet the threshold criteria of section 60.55.15 Traffic Management Plan or of section 60.55.20 Traffic Impact Analysis, these analyses or limited elements thereof may be required.
4. The decision-making authority may impose development conditions of approval per section 10.65.1. of this code. Conditions of approval may be based on the Traffic Management Plan and Traffic Impact Analysis. Additional street, bicycle, and pedestrian connections may also be required per 60.55.25 Street and Bicycle and Pedestrian Connection Requirements.
5. Dedication of right-of-way shall be determined by the decision-making authority.
6. Traffic calming may be approved or required by the decision-making authority in a design of the proposed and/or existing streets within the Area of Influence or any additional locations identified by the City Engineer. Traffic calming measures shall be designed to City standards.

65.55.10

7. Intersection performance shall be determined using the Highway Capacity Manual 2000 published by the Transportation Research Board. The City Engineer may approve a different intersection analysis method prior to use when the different method can be justified. Terms used in this subsection are defined in the Highway Capacity Manual 2000.

At a minimum, the impacts of development on a signalized intersection shall be mitigated to peak hour average control delay no greater than 65 seconds per vehicle using a signal cycle length not to exceed 120 seconds. The volume-to-capacity ratio for each lane group for each movement shall be identified and considered in the determination of intersection performance. The peak hour volume-to-capacity ratio for each lane group shall be no greater than 0.98. Signal progression shall also be considered.

At a minimum, the impacts of development on a two-way or an all-way stop-controlled intersection shall be mitigated to a peak hour average control delay of no greater than 45 seconds per vehicle.

If the existing control delay or volume-to-capacity ratio of an intersection is greater than the standards of this subsection, the impacts of development shall be mitigated to maintain or reduce the respective control delay or volume-to-capacity ratio.

- 60.55.15. Traffic Management Plan.** [ORD 4302; May 2004] Where development will add 20 or more trips in any hour on a residential street, a Traffic Management Plan acceptable to the City Engineer shall be submitted in order to complete the application. A residential street is any portion of a street classified as a Local street or Neighborhood Route and having abutting property zoned R2, R3.5, R4, R5, R7, or R10.

1. For each development application that requires a Traffic Management Plan, the Plan shall identify:
 - A. The hours when the added trips from the development will be 20 or more vehicles per hour.
 - B. The existing volume of trips on the residential street during each of those same hours.

60.55.15.1.

- C. The volume of trips that the development will add on the residential street during each of those same hours.
 - D. Recommended traffic management strategies designed to City standards to mitigate the impacts of the increased trips attributed to the development. Potential traffic management strategies include, but are not limited to, any combination of speed humps, curb extensions, intersection treatments, and traffic control devices.
2. The Traffic Management Plan shall discuss whether the recommended improvements both on-site and off-site are justified, reasonably related to, and roughly proportional to the impacts of the proposed development and shall include information sufficient for the City to assess whether the proposed mitigation strategies are reasonably related and roughly proportional to the level of impact. [ORD 4103; April 2000]

60.55.20 Traffic Impact Analysis. [ORD 4103; April 2000] [ORD 4302; May 2004] For each development proposal that exceeds the Analysis Threshold of 60.55.20.2, the application for land use or design review approval shall include a Traffic Impact Analysis as required by this code. The Traffic Impact Analysis shall be based on the type and intensity of the proposed land use change or development and its estimated level of impact to the existing and future local and regional transportation systems.

- 1. Engineer Certification. The Traffic Impact Analysis shall be prepared and certified by a traffic engineer or civil engineer licensed in the State of Oregon.
- 2. Analysis Threshold
 - A. A Traffic Impact Analysis is required when the proposed land use change or development will generate 200 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer.

65.55.20.2.

- B. A Traffic Impact Analysis or some elements of a Traffic Impact Analysis may be required when the volume threshold under subsection A. of this section is not met but the City Engineer finds that the traffic impacts attributable to the development have the potential to significantly impact the safe and efficient operation of the existing public transportation system.
- 3. Study Area. The Traffic Impact Analysis shall evaluate the Area of Influence of the proposed development and all segments of the surrounding transportation system where users are likely to experience a change in the quality of traffic flow. The City Engineer may identify additional locations for study if existing traffic operation, safety, or performance is marginal or substandard. Prior to report preparation, the applicant shall submit the proposed scope and analysis assumptions of the Traffic Impact Analysis. The City Engineer shall determine whether the scope and analysis assumptions are adequate.
- 4. Contents of the Traffic Impact Analysis Report. The Traffic Impact Analysis report shall contain the following information organized in a logical format:
 - A. Executive Summary
 - B. Description of Proposed Development
 - C. Existing Conditions
 - D. Traffic Forecasts
 - E. Traffic Impacts
 - F. Mitigation Identification
 - G. Recommendations
- A. Executive Summary. An Executive Summary of no more than three single-sided pages shall be included at the beginning of the Traffic Impact Analysis report. The Executive Summary shall summarize the analysis and conclusions and identify recommended transportation improvements.

65.55.20.4.

- B. Description of Proposed Development. The Traffic Impact Analysis shall provide a comprehensive project description including but not limited to the following:
1. Vicinity map.
 2. Site plan.
 3. Project phasing.
 4. Time schedule.
 5. Intended use of the site, including the range of uses allowed without additional land-use approvals.
 6. Intensity of use.
- C. Existing Conditions. The Traffic Impact Analysis shall provide a complete evaluation of existing conditions and include maps and/or tables displaying the following information for the Area of Influence and any additional locations previously identified by the City Engineer:
1. Street system including street names and functional classifications.
 2. Pavement and shoulder widths.
 3. Striping and channelization.
 4. Driveways.
 5. Freight access and loading areas.
 6. Intersections .
 7. Traffic volumes.
 - a. Existing traffic shall be measured within the previous twelve months.
 - b. Traffic volumes shall be based on data from a minimum of three typical weekdays. In addition, data shall be provided for weekends if weekends are the peak traffic period for either the existing street or the proposed development.
 - c. Seasonal variations in traffic volumes shall be considered.
 8. Existing intersection performance indicators including volume-to-capacity ratio and control delay.
 9. Transit information including stop and shelter locations, route numbers, headways, passenger loading, pull outs, and times of service.
 10. Bicycle ways, sidewalks, and accessways.
 11. Collision data for the most recent three-year period for which collision data is available.

65.55.20.4.

- D. Traffic Forecasts. The Traffic Impact Analysis report shall provide forecasts of future traffic within the Area of Influence and any additional locations previously identified by the City Engineer. Traffic forecasts shall be provided for both the Buildout Year and the Long-Range Forecast Year. The report shall include complete documentation of trip generation calculations including Institute of Transportation Engineers (ITE) Trip Generation (latest published edition) use code(s) or an alternative basis of trip generation and the rationale for using the alternative.
1. Buildout Year Analysis. Buildout Year forecasts shall be Total Traffic at the time of anticipated completion and occupancy of each phase of the development and at the time of completion and occupancy of the entire development. The City shall provide traffic information on other developments to consider in the calculation of Added Traffic.
 2. Long-Range Forecast Year Analysis. The Traffic Impact Analysis shall include an analysis of the potential worst-case long-range impacts to the local transportation system identified in the City's Comprehensive Plan Transportation Element and the regional transportation system identified in Metro's Regional Transportation Plan. The forecast year shall be the forecast year of the Comprehensive Plan Transportation Element or an alternate year approved by the City Engineer. The Traffic Impact Analysis shall include a prediction of whether any phase of the proposed development will change the long-range transportation needs identified in the Comprehensive Plan and the extent to which traffic from the proposed development contributes to the long-range improvement needs.

60.55.20.4.D.

3. Traffic Forecast Analysis Assumptions.

- a. Trip generation. Estimates of the proposed development's trip generation shall be made for peak period traffic. Selection of the peak period used in the analysis shall be justified and shall consider, at a minimum, the peak period for the proposed development and the peak period for surrounding streets. The City Engineer may require review of other time periods based on known or anticipated marginal or substandard traffic capacity or traffic safety. Trip generation estimates shall be based on ITE's Trip Generation (latest published edition). The City Engineer may approve different trip generation rates when trip generation rates are not available in ITE's Trip Generation or different rates are justified.
- b. Trip distribution and assignment. Traffic generated by the proposed development shall be logically distributed and assigned to the street system within the Area of Influence and any additional locations previously identified by the City Engineer. Trip distribution and assignment shall be based on trip distribution information from Washington County, ODOT, or Metro, on analysis of local traffic patterns based on data less than 12 months old, or on alternative data approved by the City Engineer.

4. Intersection and highway interchange analysis. Intersection and highway interchange analysis shall conform to the method for operations analysis described in the Highway Capacity Manual 2000 published by the Transportation Research Board. The City Engineer may approve an alternative analysis method. The analysis shall document that the impacts of queuing from adjacent intersections or traffic restrictions has been addressed.

60.55.20.4.

- E. Traffic Impacts. The Traffic Impact Analysis shall evaluate access, safety, operation, capacity, circulation, level of service, and performance of the transportation system within the proposed development's Area of Influence and any additional locations previously identified by the City Engineer for both the Buildout Year and any phases thereof, and the Long-Range Forecast Year.

Performance analysis shall be based on the standards of section 60.55.10.7.

1. Safety considerations shall be evaluated. Potential safety problems resulting from conflicting turning movements between and among driveways, intersections, and internal traffic shall be addressed. Distance to the nearest driveways on both sides of streets fronting the site and in both directions from site access points shall be shown. On-site driveway stacking and queuing impacts shall be assessed. The potential for shared access with adjacent development shall be assessed.
2. Geometric design and operational improvements including but not limited to acceleration lanes, deceleration lanes, turning lanes, traffic signals, and channelization shall be considered, evaluated, and recommended when determined necessary by standards and practices adopted by ODOT, Washington County, the City or approved by the City Engineer.
3. Adequacy of sight distance shall be addressed at the proposed road access point(s) for both the existing road configuration and for the ultimate road configuration based on improvements planned for the development and improvements identified in the Comprehensive Plan Transportation Element. Sight distance shall meet City standards.
4. The analysis shall also identify and evaluate related impacts on bicycle, pedestrian, and transit access, circulation, and facilities.

60.55.20.4.E.

5. Other, operational, circulation, safety, and capacity issues shall be evaluated and addressed as required by this code and by the City Engineer.

- F. Mitigation Identification. In order to protect the public transportation system from potentially adverse impacts of the proposal, to fulfill an identified need for public services within the impacted area related to the development, or both, the Traffic Impact Analysis shall identify methods of mitigating on-site and off-site deficiencies for present and proposed phases of the development. The analysis shall make recommendations for improvements necessary for safe and efficient traffic flow and bicycle, pedestrian, and transit movement and access. Buildout Year, Long-Range Forecast Year, and project phasing impacts shall be considered.

The traffic impact analysis shall discuss the estimated levels of impact, improvements, and mitigation.

Mitigation shall be consistent with improvements identified in the Comprehensive Plan Transportation Element. At a minimum, the Traffic Impact Analysis shall consider ultimate rights-of-way and additional streets, bicycle, and pedestrian connections and extensions and intersection improvements that are identified in the Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 and connections required by section 60.55.25 of this code. Mitigation measures may also include, but are not limited to, additional street connections and street extensions, turn lanes, signalization, signal modifications, installation of medians, shared access and other access management strategies, geometric improvements such as lane geometry improvements, and intersection realignments.

Where stop-controlled intersections do not meet the minimum performance standard of section 60.55.10.7, an additional street connection or a street extension shall be considered as a potential mitigation measure.

60.55.20.4.

- G. Recommendations. The Traffic Impact Analysis report shall clearly state the mitigation measures recommended by the analysis. The recommended street and highway mitigation measures shall be shown on a scaled drawing that depicts existing and recommended improvements.

60.55.25 Street and Bicycle and Pedestrian Connection Requirements.
[ORD 4302; May 2004]

1. All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.
2. The Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel.
3. Where a future street or bicycle and pedestrian connection location is not identified in the Comprehensive Plan Transportation Element, where abutting properties are undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties, the applicant shall submit as part of a complete application, a future connections plan showing the potential arrangement of streets and bicycle and pedestrian connections that shall provide for the continuation or appropriate projection of these connections into surrounding areas.
4. Streets and bicycle and pedestrian connections shall extend to the boundary of the parcel under development and shall be designed to connect the proposed development's streets, bicycle connections, and pedestrian connections to existing and future streets, bicycle connections, and pedestrian connections. A closed-end street, bicycle connection, or pedestrian connection may be approved with a temporary design.
5. Whenever existing streets and bicycle and pedestrian connections adjacent to or within a parcel of land are of inadequate width, additional right-of-way may be required by the decision-making authority.

60.55.25.

6. Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.
7. Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property. Connections may approach parking lots on adjoining properties if the adjoining property used for such connection is open to public pedestrian and bicycle use, is paved, and is unobstructed.
8. To preserve the ability to provide transportation capacity, safety, and improvements, a special setback line may be established by the City for existing and future streets, street widths, and bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City. The special setback area shall be recorded on the plat.
9. Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in 60.55.25.14.

An accessway will not be required where the impacts from development, redevelopment, or both are low and do not provide reasonable justification for the estimated costs of such accessway.

A. Accessways shall be provided as follows:

1. In any block that is longer than 600 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, an accessway shall be required through and near the middle of the block.
2. If any of the conditions described in 60.55.25.14 result in block lengths longer than 1200 feet as measured from the near side right-of-way line of the subject street to the near side right-of-way line of the adjacent street, then two or more accessways may be required through the block.

60.55.25.9.A.

3. Where a street connection is not feasible due to conditions described in 60.55.25.14, one or more new accessways to any or all of the following shall be provided as a component of the development if the accessway is reasonably direct: an existing transit stop, a planned transit route as identified by TriMet and the City, a school, a shopping center, or a neighborhood park.
4. The City may require an accessway to connect from one cul-de-sac to an adjacent cul-de-sac or street.
5. In a proposed development or where redevelopment potential exists and a street connection is not proposed, one or more accessways may be required to connect a cul-de-sac to public streets, to other accessways, or to the project boundary to allow for future connections.

B. Accessway Design Standards.

1. Accessways shall be as short as possible and wherever practical, straight enough to allow one end of the path to be visible from the other.
2. Accessways shall be located to provide a reasonably direct connection between likely pedestrian and bicycle destinations.

[ORD 4332; November 2004]

10. **Pedestrian Connections at Major Transit Stops.** Commercial and institution buildings at or near major transit stops shall provide for pedestrian access to transit through the following measures:

A. For development within 200 feet of a Major Transit Stop:

1. Either locate buildings within 20 feet of the property line closest to the transit stop, a transit route or an intersecting street, or provide a pedestrian plaza at the transit stop or a street intersection;
2. Provide a transit passenger landing pad accessible to persons with disabilities if required by TriMet and the City;

65.55.25.10.A.

3. Provide a reasonably direct pedestrian connection between the transit stop and building entrances on the site;
 4. Where substantial evidence of projected transit ridership or other transit impacts is presented to conclude both that a nexus exists between the proposed development and public transit and that the degree of impact provides reasonable justification, the City may require the developer to grant a public easement or dedicate a portion of the parcel for transit passenger bench(es), shelter, or both, and, if appropriate, the construction of a transit passenger bench, shelter, or both; and,
 5. Provide lighting at the transit stop to City standards.
- B. Except as otherwise provided in subsection A. of this section, for development within 300 feet of a Major Transit Stop, provide walkways connecting building entrances and streets adjoining the site, and pedestrian connections to adjoining properties, except where such a connection is impracticable pursuant to subsection 14. of this section.
11. Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs.

60.55.25.11.

“Assessment” for the purposes of this section means to assess the site-specific development compatibility issues. Site-specific compatibility issues include but are not limited to lighting, construction methods, design elements, rare plants, and human/pet impacts on the resource. “Review” for the purposes of this section includes but is not limited to obtaining appropriate permits from appropriate resource agencies. Mitigation measures, including appropriate use restrictions, required by local, state, and federal agencies shall be completed as part of the construction project. If the project will irreparably destroy the resource, then the resource will take precedence over the proposed bicycle and pedestrian connection.

12. New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links.
13. Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections are not required where one or more of the following conditions exist:
 - A. Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;
 - B. Existing buildings or other development on adjacent lands physically preclude a connection now and in the future, considering the potential for redevelopment; or,
 - C. Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.

60.55.30 Minimum Street Widths. [ORD 4302; May 2004] Minimum street widths are depicted in the Engineering Design Manual and Standard Drawings. Street width includes right-of-way width, paved width, and widths of sidewalks and planter strips.

1. The decision-making authority shall determine the appropriate street width. The decision shall be based on the following considerations:
 - A. Street function within the existing, proposed, and future developing area and circulation networks;
 - B. Existing and long-range forecast traffic volumes;
 - C. The recommendations of the development impact analysis, Traffic Management Plan, and/or Traffic Impact Analysis;
 - D. Individual property access needs;
 - E. Topographic variations, environmental conditions, existing development, and other field conditions.
 1. The decision-making authority may approve reduction of the minimum widths for sidewalks and planter strips if the reduction is required to accommodate unique conditions due to topography, environmental protection requirements, or existing development and the applicant has demonstrated that the standard widths would impose an economic hardship or immitigable loss of environmental resources. Changes may include but are not limited to meandering or curb tight sidewalks with or without tree wells.
 2. The recommendation shall be based on the development impact analysis, which fulfills the requirements of section 60.55.10.3.
 3. The recommendation shall provide for safe and efficient circulation and access per section 60.55.25.1.
 - F. Regionally significant streets designated in Metro's Regional Transportation Plan shall be designed to reflect the function of the street and the adjacent zoning.

60.55.30.

2. In Station Areas, Station Communities, Town Centers, and Regional Centers, the decision-making authority may approve alternative sidewalk widths consistent with the requirements of sections 20.20.50 and 20.20.60 and may waive the requirement for planter strips.
3. Infill Street Designs. A modified infill residential street design or infill cul-de-sac design may be approved for local streets to optimize the developable land on R-1, R-2, R-3.5, R-5, R-7, and R-10 residential sites subject to the following requirements. The street design is intended to provide public street access to lots created as part of an infill process.

Use of the modified infill design is subject to approval by the decision-making authority through the development review process. The applicant shall provide documentation to demonstrate that use of the standard residential street cross section would result in non-conforming lot dimensions per section 20.05.50., and/or use of the standard street cross section is impractical due to physical or topographical constraints such as freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water, or the constraints of section 60.55.30.1.E.

4. Half streets. The required street width may be developed in stages when development is occurring on only one side of the proposed street and where staging is essential to the reasonable development of properties. Staging may be allowed if necessary to maintain minimum depth and setbacks on adjoining lots or to match the existing alignments of abutting streets. Staging shall only be approved where future development of adjoining properties can reasonably be expected to complete the full street width. If staging is approved, the initial stage shall provide improvements to City standards that will assure a total minimum 20-foot pavement improvement width for vehicular travel and any additional right-of-way, shoulder improvements, and drainage improvements as required for the half street.
5. Use of a cul-de-sac design is limited to situations where barriers prevent through streets from being constructed. Use of a cul-de-sac design may be approved by the decision-making authority based on documentation that demonstrates that the use of a through street design is impractical and would result in non-conforming lot dimensions per section 20.05.50, is impractical due to environmental constraints on the site or on land adjacent to the site, or is impractical due to existing development on the site or on land adjacent to the site.

65.55.30.

6. No more than 25 dwelling units may have access onto a closed-end street system. An exception may be approved by the decision-making authority based on documentation that demonstrates that a through street is not practical due to environmental constraints or existing development on the site or on land adjacent to the site, and exceeding the standard maximizes the developable portion of the site.

60.55.35 Access Standards. [ORD 4302; May 2004]

1. The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved. [ORD 4103; April 2000]
2. Intersection Standards.
 - A. Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual and Standard Drawings except in Regional and Town Centers.
 1. The sight clearance area requirements for Town Centers and Regional Centers shall be determined on a case-by-case basis by the decision-making authority. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists, and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual and Standard Drawings, and other applicable criteria. [ORD 4111; June 2000]
 2. The requirements specified in 60.55.35.2.A. may be lessened or waived by the decision-making authority if the project will not result in an unsafe traffic situation. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual and Standard Drawings, and other applicable criteria.

60.55.35.2.

B. Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.

1. Local street connections at intervals of no more than 330 feet should apply in areas planned for the highest density mixed-use development.
2. When a highway interchange within the City is constructed or reconstructed, a park and ride lot shall be considered.

C. Driveways.

1. Corner Clearance for Driveways. Corner clearance at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the Engineering Design Manual and Standard Drawings.
2. Shared Driveway Access. Whenever practical, access to arterials and collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement.

Consideration of shared access shall take into account at a minimum property ownership, surrounding land uses, and physical characteristics of the area.

Where two or more lots share a common driveway, reciprocal access easements between adjacent lots may be required.

3. No new driveways for detached dwellings shall be permitted to have direct access onto an arterial or collector street except in unusual circumstances where emergency access or an alternative access does not exist. Where detached dwelling access to a local residential street or neighborhood route is not practicable, the decision-making authority may approve access from a detached dwelling to an arterial or collector.

60.55.40. Transit Facilities. [ORD 4302; May 2004] Transit routes and transit facilities shall be designed to support transit use through provision of transit improvements. These improvements shall include passenger landing pads, accessways to the transit stop location, or some combination thereof, as required by TriMet and the City, and may also include shelters or a pad for a shelter. In addition, when required by TriMet and the City, major industrial, institution, retail, and office developments shall provide either a transit stop on site or a pedestrian connection to a transit stop adjacent to the site.

- 1. Transit Shelters.** [ORD 4332; November 2004] All transit shelters and sidewalk furniture shall meet the following standards.
 - A. The proposal is located entirely within the existing public right-of-way, public access easement, or property owned by a public agency.
 - B. The proposal maintains an unobstructed path of travel of no less than six feet (6') unless a greater unobstructed path is required by this code for a specific sidewalk.
 - C. The proposal is not located within eight feet (8') of a point of ingress or egress of an existing structure.
 - D. The proposal is not located within a vision clearance area for a street, driveway, or other facility where vehicles regularly travel.
 - E. The proposal is not located within twelve feet (12') of a window display area.
 - F. The proposal does not consist of solid panels other than what is required to post transit schedules.

60.60. TREES AND VEGETATION. [ORD 4224; August 2002]

60.60.05. Purpose

Healthy trees and urban forests provide a variety of natural resource and community benefits for the City of Beaverton. In conjunction with processes set forth in Section 40.90 of this Code, this section is intended to help regulate changes regarding the City's urban forest by establishing regulations and standards for the protection, pruning, removal, replacement, and mitigation for removal of significant tree and grove, historic tree, tree within a Significant Natural Resource Area (SNRA), landscape tree, street tree, and community tree.

60.60.10. Types of Trees and Vegetation Regulated

Actions regarding trees and vegetation addressed by this section shall be performed in accordance with the regulations established herein and in Section 40.90 of this Code. The City finds that the following types of trees and vegetation are worthy of special regulation:

- 1. Significant Tree and Groves.**
- 2. Historic Tree.**
- 3. Tree within a Significant Natural Resource Area.**
- 4. Landscape Tree.**
- 5. Street Tree.**
- 6. Community Tree.**

60.60.15 Pruning, Removal, and Preservation Standards

1. Pruning Standards

- A. It shall be unlawful for any person to remove or prune to remove a tree's canopy or disturb the root zone of any significant tree and grove, historic tree, tree within a SNRA, landscape tree, and street tree, except in accordance with the provisions of this Code.

60.60.15.1.

- B. All pruning of a significant tree and grove, historic tree, tree within a SNRA, landscape tree, and street tree shall be done in accordance with the standards set forth in this section and the City's adopted Tree Planting and Maintenance Policy, also known as Resolution 3391.

2. Removal and Preservation Standards

- A. All removal and planting, including replacement or mitigation planting, of protected trees shall be done in accordance with the standards set forth in this section and the City's adopted Tree Planting and Maintenance Policy.
- B. Removal of a significant tree and grove, landscape tree, and street tree shall require mitigation, which may include tree replacement or other mitigation measures, as set forth in this section.
- C. For Significant Natural Resource Areas (SNRA) and significant groves, the following additional standards shall apply:
 - 1. A minimum of 5% of the trees within a SNRA or significant grove area shall be preserved. The area shall be measured by the area of the tree canopy at maturity. SNRA and significant grove preservation shall include preservation of understory vegetation, as well as trees.
 - 2. Significant groves shall be preserved in rounded clusters rather than in linear strips.
 - 3. Significant groves shall provide connectivity with adjoining forested areas.
 - 4. Native species shall be retained to the extent possible. Native species include, but are not limited to: Grand Fir, Douglas-fir, Western Hemlock, Pacific Yew, Western Red Cedar, Bigleaf Maple, Oregon White Oak, Oregon Ash, Red Alder, Western Flowering Dogwood, Ponderosa Pine, and Black Cottonwood.

Non-native tree species may also be retained for aesthetic, unique condition, size, and wildlife habitat purposes.

60.60.15.2.

- D. To assist in the preservation of a tree or grove, the following shall not occur within the protected root zone of each tree at any time without prior approval from the City:
1. Construction or placement of new buildings.
 2. Grade change or cut and fill.
 3. Construction or placement of new impervious surfaces.
 4. Trenching for utilities, irrigation, or drainage.
 5. Staging or storage of any kind.

60.60.20. Tree Protection Standards During Development

1. Trees classified as Significant Tree and Grove and Landscape Tree under this Code shall be protected during development in compliance with the following:
 - A. A construction fence must be placed around a tree or grove at least at the edge of the root zone. The fence shall be placed before construction starts and remain in place until construction is complete. The fence shall meet the following:
 1. The fence shall be a four foot (4') tall orange plastic or snow fence, secured to six foot (6') tall metal posts, driven two feet (2') into the ground. Heavy gauge 12 wire shall be attached to the top and midpoint of each post.
 2. Other City approved protection devices that provide equal or greater protection may be permitted.
 - B. Within the protected root zone of each tree, the following development shall not be permitted:
 1. New buildings.
 2. Grade change or cut and fill during or after construction.
 3. New impervious surfaces.

60.60.20.1.B.

4. Trenching for utilities, irrigation, or drainage.
5. Staging or storage of materials and equipment during construction.
6. Vehicle maneuvering during construction.

60.60.25. Mitigation Standards

1. The following standards shall apply to mitigation for the removal of a significant tree or grove.
 - A. Mitigation for the removal of a significant tree or grove shall be the required replacement of each tree on a one-to-one basis according to total linear DBH measurement. Replacement of trees shall be as follows:
 1. Calculate the sum of the cumulative DBH measurement of the tree to be removed.
 2. The total linear DBH measurement of the tree to be removed shall be replaced with a tree that is at least two caliper inches (2”) in diameter unless otherwise approved by the City. The total caliper inches of the replacement tree shall be at least equal to the sum total of the linear DBH measurement of the removed tree.
 3. If the total caliper inch replacement does not equal the DBH inch removal, the remaining caliper inch replacement will be provided in-lieu. The in-lieu fee shall be specified in the Community Development Department fee schedule and be deposited in the City’s Tree Mitigation Fund.
 - B. Mitigation may be satisfied by one, or a combination of more than one, of the following options:
 1. Planting of trees on the site where tree or grove removal is proposed;
 2. Planting of trees off the site at a location or locations to be determined by the City; or

60.60.25.1.B.

3. A fee paid in lieu of tree planting and deposited in the City's Tree Mitigation Fund for future natural resource mitigation efforts. The assessment of tree mitigation shall be determined by the caliper size of the tree removed.
 - C. Any tree required for mitigation shall be a similar species or a tree approved by the City considering site characteristics with a preference given to native species, as listed in Section 60.60.15 of this Code.
 - D. If a mitigation tree of the species of the tree removed or damaged is not reasonably available, the City may allow replacement with a different species with equivalent natural resource value.
 - E. All mitigation tree planting shall take place in conformance with accepted arboricultural practices and the City's Tree Planting and Maintenance Policy.
 - F. All trees planted for mitigation must have a minimum caliper of two inches (2") except where other standards are required through development review.
 - G. All trees planted for tree removal mitigation shall be maintained in accordance with the approved mitigation plan. Monitoring of mitigation planting shall be the ongoing responsibility of the property owner. Trees that die shall be replaced.
2. The following standards apply to the replacement of a landscape tree or street tree:
 - A. A replacement tree shall be a substantially similar species or a tree approved by the City considering site characteristics.
 - B. If a replacement tree of the species of the tree removed or damaged is not reasonably available, the City may allow replacement with a different species with equivalent natural resource value.

60.60.25.2.

- C. Replacement of a landscape tree or street tree shall be based on total linear DBH calculations at a one-to-one ratio depending upon the capacity of the site to accommodate replacement tree or unless otherwise specified through development review. Replacement of tree on a one-to-one basis shall be as follows:
1. Calculate the sum of the total linear DBH measurement of the tree to be removed.
 2. The total linear DBH measurement of the tree to be removed shall be replaced with tree at least 1.5 caliper inches in diameter. The total caliper inches of the replacement tree shall be at least equal to the sum total of the linear DBH measurement of the removed tree.

60.65. UTILITY UNDERGROUNDING [ORD 4118; August 2000]

60.65.05. Purpose. The purposes and objectives of locating existing and proposed private utilities underground are to:

1. Implement the policies, goals, and standards of the City Council and the adopted Comprehensive Plan of the City of Beaverton.
2. Improve aesthetics of the community by reducing the number of utility poles and above ground wires.
3. Provide consistency in management of the City's rights-of-way.
4. Protect essential public services from natural and manmade accidental disruptions.
5. Improve public safety by reducing the possibility for injury from downed lines.
6. Allow fewer fixed obstructions in the public right-of-way.

60.65.10. Authority. The provisions of private utility undergrounding shall pertain to all activities subject to Design Review, Section 40.20, as well as Land Divisions, Section 40.45.

60.65.15. Regulation. All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those existing overhead utilities which are impacted by the proposed development and those utilities that are required to be installed as a result of the proposed development.

1. At the option of the applicant and subject to rules promulgated by the Oregon Public Utility Commission (PUC), this requirement does not apply to surface mounted transformers, surface mounted connection boxes and meter cabinets, which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and that portion of a project where undergrounding will require boring under a collector or arterial roadway.

60.65.15.

2. The developer shall make all necessary arrangements with the serving private utility to cause the utility service(s) to be placed underground;
3. The City reserves the right to approve surface mounted facilities;
4. All underground public and private utilities shall be constructed or installed prior to the final surfacing of the streets; and
5. Stubs for service connections and other anticipated private extensions at street intersections shall be long enough to avoid disturbing street surfaces and right-of-way improvements such as sidewalks and landscaping areas when service connections are made.
6. Unless otherwise specifically required in an existing franchise between the City and the particular private utility, or PUC rule, the applicant or developer responsible for initiating the requirement for placing overhead utilities underground is responsible for the cost of converting all existing customer equipment and private utilities on private or public property, or both to meet utility undergrounding requirements.
7. If the private utility service provider requires an applicant, as a component of the applicant's placing private utilities underground, to install facilities to accommodate extra capacity beyond those necessitated by the proposed development, the private utility service provider shall be financially responsible for providing the means to provide such extra capacity.

60.65.20. Information on plans. The applicant for a development subject to design review, subdivision, partition, or site development permit approval shall show, on the proposed plan or in the explanatory information, the following:

1. Easements for all public and private utility facilities;
2. The location of all existing above ground and underground public and private utilities within 100 feet of the site;
3. The proposed relocation of existing above ground utilities to underground; and
4. That above ground public or private utility facilities do not obstruct vision clearance areas pursuant to Section 60.55.50. of this Code.

60.65.25. Optional Fee In Lieu of the Undergrounding Requirement. If any of the following criteria are met as determined by the City, after receiving a recommendation from the Facilities Review Committee, at the applicant's option, applicant shall either immediately place the private utilities underground or pay a fee to the City toward future undergrounding in lieu of immediately placing private utilities underground. [ORD 4224; August 2002]

Criteria. An applicant may request an optional fee in-lieu of the undergrounding requirement by submitting a written request to the Director that addresses how one or more of the following criteria are met. The written request shall include the information required in Sections 60.65.20.2. and 3., shall identify the segment of the required utility undergrounding that meet the criteria below, and shall explain in narrative and graphic form how one or more of the criteria are met. [ORD 4224; August 2002]

1. Placement of private utilities underground would conflict with the current City of Beaverton *Engineering Design Manual and Standard Drawings* or the *Clean Water Service's Design and Construction Manual*, as applicable;
2. An improvement project(s), which would include placement of said private utilities underground, other than as a part of the proposed development, are funded in the City's or another public agency's current fiscal year budget, are under design, or are under construction, and the City has determined that utility undergrounding can be accomplished more efficiently as part of such other improvement project(s).
3. Excluding service connection(s) of private utility(s) to structure(s), the length of any one of the three private utilities within or contiguous to the subject property to be placed underground is less than the corresponding threshold distance outlined in Table 60.65.25.3. If any of the existing or proposed utilities meets the corresponding threshold, as specified in this criterion, then, at the option of the applicant, the applicant shall either pay a fee in-lieu for undergrounding all of said utilities that are not already underground or place all of said utilities underground. If any of the utilities exist and are deemed exempt from the undergrounding requirement, as specified in Section 60.65.15.1., only that exempt utility shall not be required to pay an in-lieu fee. All other existing utilities that share the location of the exempt utility shall either pay an in-lieu fee or be placed underground.

60.65.25.3.

Table 60.65.25.3.

	Threshold	<u>Electric</u>	<u>Telephone</u>	<u>Cable Television</u>
A.	500 feet	Tap lines with at least 2 poles	Class 1 (0 to 300 conductors)	Service drops
B.	600 feet	Sub-feeder with at least 3 poles	Class 2 (301 to 600 conductors)	Feeder
C.	800 feet	Feeder with at least 5 poles	Class 3 (601+ conductors or fiber optic)	Trunk or fiber optic

60.65.30. Fees to be Paid In-Lieu of Undergrounding.

1. Applicants subject to the undergrounding in-lieu fee shall pay to the City an amount per linear foot of each private utility that is subject to underground relocation which is not placed underground. The amount of the fee shall be established by the City Council by resolution and shall be based on average costs of undergrounding by the private utility providers.
2. All in-lieu fees paid to the City shall be dedicated to future private utility undergrounding projects in which the City takes part. Any in-lieu fees paid on behalf of a particular property shall not have such property subject to future assessment or other City charge for the same work unless a credit is given for the fee having been paid.
3. By accepting an in-lieu fee, the City is not thereby assuming responsibility for placing overhead private utilities underground. In the event that an in-lieu fee has been paid to the City, the City shall credit all properties as to which the owner has paid in-lieu fees for undergrounding private overhead utilities against any future public assessment(s) or charge(s) in connection with such private utility undergrounding project(s).
4. All in-lieu fees shall be paid prior to the issuance of a Site Development Permit.

60.65.35. City to establish priorities. Any funds collected from the in-lieu undergrounding fees may be used by the City to off set the costs of undergrounding any private utilities as part of any project listed in the CIP, subject to the following priorities:

1. Collected in-lieu fees shall be used for private utility undergrounding project(s) that are within 2,500 feet of the site that paid the in-lieu fee.
2. Private utility undergrounding project(s) that are within the 2,500 feet of sites where fees have been collected and where other public construction project(s), such as road improvements or other utility work have been identified, shall be ranked higher than projects where no in-lieu fees have been collected and no construction projects have been identified for inclusion in the CIP.
3. Private utility undergrounding project(s) that are within the 2,500 feet of sites where fees have been collected for private utility undergrounding shall be ranked higher in priority than those where no in-lieu fees have been collected.

60.67. SIGNIFICANT NATURAL RESOURCES. [ORD 4157; April 2001]

60.67.05. Local Wetland Inventory. Prior to issuing a development permit, the Local Wetland Inventory map shall be reviewed to determine if the site proposed for development is identified as the location of a significant wetland.

1. Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant wetlands shall be subject to relevant procedures and requirements specified in Chapter 50, of this ordinance.
2. Upon City's determination that a site contains wetland as identified on the Local Wetland Inventory map, notice of the proposed development shall be provided to the Division of State Lands (DSL) in a manner and form prescribed by DSL pursuant to ORS requirements.

60.67.10. Significant Riparian Corridors. Prior to issuing a development permit, the list of Significant Riparian Corridors shall be reviewed to determine if the site proposed for development is identified as being listed corridor.

1. Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including riparian corridors, shall be subject to relevant procedures and requirements specified in Chapter 50 of this ordinance.

60.70. WIRELESS COMMUNICATIONS FACILITIES. [ORD 4248; April 2003]

60.70.05. Purpose

1. The purpose of these regulations is to ensure that Wireless Communications Facilities (WCF) are regulated in a manner that:
 - A. Conforms to the federal Telecommunications Reform Act of 1996.
 - B. Promotes universal communication service to all City residents, businesses and visitors.
 - C. Establishes clear and objective standards for the placement, design and continuing maintenance of WCF.
 - D. Minimizes the adverse visual, aesthetic and structural safety impacts of WCF on residential neighborhoods and on the community as a whole.
 - E. Encourages the design of WCF to be as aesthetically and architecturally compatible as possible with the surrounding natural and built environments.
 - F. Encourages collocation of WCF on existing support structures to minimize the number of new facilities required.
 - G. Ensures that regulations do not constitute a barrier to entry and apply to providers on a competitively neutral basis.

60.70.10 Applicability

1. The regulations contained within this section shall apply to the construction or installation or modification of Wireless Communication Facilities (WCF) within the municipal limits of the City of Beaverton.
2. Regulations contained in this section shall apply to wireless communication facilities used for essential public communication services conducted by police, fire, and other public safety or emergency networks.

60.70.10.

3. Compliance with the regulations contained within this section shall be required in addition to any other applicable standards and regulations contained within the Code.

60.70.15 Federal and State Compliance

1. In addition to compliance with the regulations in this section, the applicant shall be responsible for the identification of and compliance with all applicable federal and state regulations pertaining to WCF.
2. Permanent alterations to previously City reviewed and approved WCF resulting from the adoption of new or updated federal and/or state regulations shall be reviewed through the City's development review process prior to the making of such alterations, unless local review and approval is exempted by federal or state statute.

60.70.20 Exemptions

1. All of the following are exempt from the regulations contained in this section of the Code:
 - A. Emergency or routine repairs, or maintenance of existing facilities and of transmitters, antennas or other components of existing facilities that do not increase the size, footprint, or bulk of such facilities, and which otherwise comply with City, state and federal regulations.
 - B. Federally-authorized industrial, scientific and medical equipment operating at frequencies designated for that purpose by the Federal Communications Commission (FCC) in Part 18 of Title 47 of the Code of Federal Regulations (CFR).

60.70.20.1.

- C. Amateur radio facility antennas, or a combination of antennas and support structures seventy (70) feet or less in height as measured from the base of the support structure consistent with ORS 221.295. This includes antennas attached to towers capable of telescoping or otherwise being extended by mechanical device to a height greater than 70 feet so long as the amateur radio facility is capable of being lowered to 70 feet or less. This exemption applies only to the Beaverton Development Code and does not apply to other applicable city, state, and federal regulations. Amateur radio facilities not meeting the requirements of this exemption are considered non-exempt, and must comply with Section 60.70.45.
- D. Military and civilian radar equipment, operating within the regulated frequency ranges, for the purpose of national, state or local defense or aircraft safety.
- E. Antennas and associated equipment completely located within the interior of an existing or proposed structure with no associated exterior equipment, the purpose of which is to enhance or facilitate communication functions within the structure or other structures on the site.
- F. Satellite antennas up to and including two (2) meters in diameter in commercial, multiple use, and industrial zoning districts.
- G. Direct-to-home satellite service and satellite antennas up to and including one (1) meter in diameter located in residential zoning districts.
- H. AM or FM radio broadcast towers and equipment, or television broadcast towers and equipment, as regulated by the Federal Communications Commission (FCC).

60.70.25 Non-Conforming Use Status for Existing Wireless Communication Facilities

- 1. WCF and associated equipment and site improvements in existence as of May 8, 2003 that are nonconforming as to the use or development standards contained in this Code section shall be subject to the provisions of Chapter 30 (Non-Conforming Uses) except:

60.70.25.1

- A. A proposal to collocate new antennas on existing non-conforming structures shall comply with the standards of this Section.
- B. Abandoned facilities shall not be considered non-conforming uses and shall comply with Section 60.70.65.
- C. If the owner, operator or both propose a permanent alteration of an existing non-conforming WCF, the use, structure, or both shall lose its non-conforming status and shall comply with the provisions of this section. For the purposes of this Code, a permanent alteration shall consist of the removal of an existing tower support structure, except as modified by Section 60.70.25.1.D-E.
- D. For purposes of collocation, or routine maintenance, the removal and replacement of existing transmitters, existing antennas, existing equipment shelters, and existing on-site improvements, including but not limited to, landscaping, fencing, paving, shall not be considered permanent alterations unless the removal and replacement of any or all of the above results in the expansion of existing on-site developed area beyond the previous land use approval. The expansion of previously approved existing on-site developed area shall result in the loss of non-conforming status and shall require compliance with the provisions of this Section.
- E. For satellite antennas not exempted by this Code, the removal and replacement of these stations shall not be considered a permanent alteration, provided that the diameter of the replacement satellite antennas shall be no more than fifty (50) percent greater or four (4) meters greater, whichever is less, of the existing diameter of the satellite antenna. The installation of replacement satellite antennas greater than fifty (50) percent or more than four (4) meters of the existing station diameter shall result in the loss of non-conforming status and shall require compliance with the provisions of this Section.
- F. The addition of new WCF antennas, or equipment shelters, or on-site improvements shall not be considered permanent alterations to an existing non-conforming WCF, but shall be reviewed under applicable provisions of this Section.

60.70.30. Permit Process. Applicants shall refer to Chapter 20 (Land Uses) of this Code to determine whether a proposed WCF is a permitted use, a conditional use or a prohibited use within a specific underlying zoning district. The different permit types and associated thresholds are specified in Chapter 40 (Applications). The procedures for the review and approval of applications are contained in Chapter 50 (Procedures) of this Code.

60.70.35 Development Standards for WCF. Development Standards Applicable to All Zoning Districts. Except as noted in Section 60.70.35.18, the following development standards shall apply to all wireless communication facilities (WCF), excluding satellite antennas in all zoning districts. Refer to Section 60.70.40 for development standards for satellite antennas:

1. General:

- A. Lattice tower support structures are prohibited.
- B. Guyed tower support structures are prohibited.
- C. “Top hat” antenna arrays are prohibited.
- D. Collocation of new WCF antennas on existing lattice tower support structures, or guyed tower support structures is allowed.
- E. On new towers, davit arms extending a maximum of five (5) feet out from the connection with the tower body may be used to support individual antennas.
- F. The attachment of WCF and associated equipment to any tree is prohibited.

2. Height:

- A. The maximum height of any new WCF tower, WCF antenna collocation, or both shall conform to the maximum height standards specified in the site development requirements in Chapter 20 (Land Uses) for residential, commercial, multiple use, and industrial zoning districts.

60.70.35.2.

- B. The height of any type of WCF shall include the support structure and any attached antennas. A lightning rod that is up to and including ten (10) feet tall and any required lighting by the Federal Aviation Administration (FAA) shall not be included within the calculation of the maximum height.
- 3. **Lighting.** The installation of light fixtures to a WCF tower is prohibited except for lighting required by the Federal Aviation Administration (FAA) or the Oregon Department of Aviation (ODA). A maximum of one (1) motion-sensitive or permanently shielded light fixture attached at or near the entrance door to the at-grade equipment shelter shall be allowed.
- 4. **Signage:**
 - A. For new WCF towers and/or proposed collocation of WCF on existing towers one (1) non-illuminated sign having a maximum sign face of three (3) square feet and comprised of a white background with black lettering shall be provided and shall be permanently affixed to the entrance gate of the required fence. The sign shall identify the name of the WCF provider(s) and shall specify an emergency contact telephone number. For proposed collocation actions, the applicant for collocation shall be responsible for the production and installation of a required sign for the existing WCF service provider(s) if not already present at the site.
 - B. No additional signage including logos and advertisements shall be allowed on any new or existing WCF towers, at grade equipment shelters or required fencing.
- 5. **Fencing.** A sight-obscuring fence that is a minimum of six (6) feet high shall prohibit public access to WCF towers, or shall screen all at-grade equipment shelters, or both. Sight-obscuring fencing shall consist of chain link with slats, vinyl, wood, masonry, or brick.

60.70.35.

6. Landscaping:

- A. Screening Landscaping for At-Grade Equipment Shelters. At-grade equipment shelters shall be screened with evergreen shrubs installed immediately outside of the required fencing on all sides. The portion of the fenced enclosure used as an access gate shall feature wooden slats or other sight-obscuring material in lieu of landscaping. Evergreen shrubs shall:
1. Be planted with a minimum height of four (4) feet.
 2. Be spaced evenly apart to create adequate screening density, provided that the maximum spacing shall be thirty-six (36) inches on center.
 3. Be of a species that attains a minimum mature height of ten (10) feet.
 4. Be planted in a manner to attain a one hundred (100) percent survival rate within the first year of planting.
 5. Be comprised of a variety of species.
- B. Requirement for Evergreen Trees. In addition to the landscaping requirements specified in Section 60.70.35.6.A, the decision-making authority may require the planting of evergreen trees when a new WCF tower is located on property within or immediately abutting residential, or multiple use zoning districts. When required, evergreen trees shall:
1. Be placed immediately outside of a required fenced enclosure on all sides within or abutting the same planting area for the required evergreen shrubs.
 2. Be planted with a minimum height of ten (10) feet.
 3. Be planted a maximum of thirty (30) feet on center.
 4. Be of a species that attains a minimum mature height of thirty (30) feet.

60.70.35.6.B.

5. Be planted in a manner to attain a one hundred (100) percent survival rate within the first year of planting,
7. **Visual Impacts.** The decision-making authority shall identify whether new WCF towers shall either be left in a non-reflective metal finish or shall be painted based on the characteristics of the surrounding terrain in which the parent parcel is located, unless required by the FAA to be painted in an alternating red-and-white striped pattern.
8. **Noise.** Noise-generating equipment shall be sound-buffered by means of baffling or structural barriers to reduce the sound level measured at the property line abutting residential, and multiple-use zoning districts.
9. **At-Grade Equipment Shelters.** Equipment shelters and other associated on-ground equipment shall be constructed of wood, metal, or masonry materials and shall be painted in a color that is consistent and compatible with surrounding development. Roofing and other architectural treatments proposed for the material shall also be consistent and compatible with surrounding development.
10. **Stealth Design.** Chapter 90 (Definitions) of this Code defines stealth design. The purpose of stealth design is to minimize the visibility of wireless communications facilities by disguising, concealing, or camouflaging these facilities. Acceptable methods of stealth design include, but are not limited to:
 - A. **Disguised as Other Structures or Elements of Physical Environment.** WCF support structures, antennas and associated equipment that are disguised to look like another structure including but not limited to a flagpole or church cross or are made to appear part of the natural environment such as an evergreen tree. Disguised WCF facilities shall not contain any visible exterior attributes of a WCF support structure, antenna and associated equipment.

60.70.35.10.

- B. **Concealed Roof-Mounted Antennas.** WCF antenna array installed on a building roof shall be concealed from the ground level of abutting public streets and adjacent properties. Acceptable types of screening are placement behind the roof parapet, within or on the mechanical penthouse or on a roof-mounted building element such as a chimney, exhaust pipe, cupola, bell tower or flagpole.
 - C. **Camouflaged Roof-Mounted Equipment Shelters.** Roof-mounted equipment shelters shall be camouflaged from the ground level of abutting public streets and adjacent properties. Acceptable types of screening are placement within the interior of the building or the structure, behind the roof parapet, within a mechanical penthouse or completely within a roof-mounted element such as a chimney, exhaust pipe, cupola or bell tower.
- 11. Allowable Height for Building Roof-Mounted Antennas.** Antennas mounted on building roofs shall not extend beyond the maximum height for buildings of the underlying zoning district. The antenna height shall be measured from the existing height of the building roofline. All roof-mounted antennas shall comply with the stealth design requirements of Section 60.70.35.10.
- 12. Building Wall-Mounted Antennas.** Any WCF antennas mounted to the roof edge or sidewall elevation of a building shall be completely covered with the same exterior finish and painted the same color as the exterior of the building or structure.
- 13. Structure Mounted Antennas.** Any WCF antennas mounted to a structure that is not a building shall comply with the following standards:
- A. Antennas shall not extend beyond the maximum height for structures of the underlying zoning district.
 - B. Antennas on existing tower structures or pole structures, other than those used for cellular phone service shall extend a maximum of ten (10) feet above the existing structure height as measured from its tallest point.

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- C. Antennas on water reservoir tanks shall extend a maximum of five (5) feet above the existing structure height as measured from its tallest point.
 - D. Antennas on water reservoir tanks shall be painted the same color as the tank.
- 14. Setbacks.** All new WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters shall comply with the setbacks established in the underlying zoning district. These standards shall also apply to WCF collocation proposals:
- A. In all underlying zoning districts, new WCF towers, building wall-mounted antennas and at-grade equipment shelters shall comply with all setbacks contained in the underlying zoning district. For the purposes of this Code, the setback shall be measured from the portion of the WCF tower including the antenna array, at-grade equipment shelter or building wall-mounted antennas that extend outward towards the property line to the greatest extent.
 - B. New WCF towers located on commercially or industrially zoned property shall be set back a minimum of fifty (50) feet from the property line(s) that abuts a residential, or multiple use zoning district, regardless of the setback established in the underlying zoning district, except that the decision-making authority may authorize an Adjustment or Variance to this standard, if the applicant can demonstrate that such an Adjustment or Variance would reduce the visual impacts of the tower on adjacent property because of vegetation, topography, intervening buildings, or other site-specific factors. Adjustments and Variances shall be authorized through the Adjustment and Variance provisions specified in Chapter 40 (Applications).
 - C. Regardless of the setback requirements in the underlying zoning district, new WCF towers not designed to collapse within itself shall be set back from all property lines by a distance equal to the height of the tower plus five (5) additional lineal feet.

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- 15. Parking.** A minimum of one (1) readily accessible parking space shall be provided to serve new WCF towers or collocated WCF for the purpose of regular maintenance or emergency repairs. The decision-making authority may waive the minimum-parking requirement. Waivers may be authorized if the applicant can demonstrate that there is existing on-site parking, on-street parking, leased parking, or parking on separate adjacent property authorized for use by a written agreement.
- 16. Clustering of Towers.** Clustering of towers shall be prohibited in all residential and multiple use zoning districts. Proposals for the clustering of towers in commercial and industrial zoning districts shall comply with all development standards of this Section, and other applicable sections of the Development Code.
- 17. Collocation Capacity.** New WCF towers and associated site area shall be designed to accommodate a minimum of one (1) additional future service. Collocation capacity shall be reserved through all of the following methods:

 - A. Construction of a tower of sufficient height to accommodate a minimum of two (2) antenna arrays; and,
 - B. Installation of a foundation of adequate size and structural bearing capacity to accommodate a tower with a minimum of two (2) antenna arrays; and,
 - C. Provision of a fenced enclosure of sufficient size to accommodate the equipment shelters for a minimum of two (2) antenna arrays.

60.70.35.

18. Specific Development Standards-Multiple-Use Zoning Districts.

The following standards are specific to WCF on lots in multiple use zoning districts and are in addition to the other development standards specified in this section of the Code:

- A. Equipment for new WCF towers or new attached WCF or incorporated WCF shall either be placed underground, entirely within an existing building, on a screened rooftop, or entirely within a new above ground structure constructed solely for the purpose of housing this equipment. This enclosed building shall be architecturally treated to blend in with the surrounding built environment. Acceptable types of architectural treatments include but are not limited to painted metal roofs, faux windows, awnings, canopies, brick, or colored or textured masonry.
- B. Cables and other connection devices between equipment shelters and new WCF towers or new attached WCF or incorporated WCF shall be placed entirely underground, or shall be placed above-ground in a completely enclosed structure. If placed above-ground, the completely enclosed structure shall be compatible in scale, design, and materials to the above-ground equipment shelter, and the surrounding built environment.
- C. For new WCF towers located on a lot that because of physical site constraints, tower related site design, or lease or ownership restrictions cannot be developed for any other permitted use while the tower is in operation, property perimeter structural bearing walls having a minimum height of ten (10) feet and composed of brick or colored and textured masonry or a combination of brick and colored and textured masonry shall be installed along all property lines for the portion of the lot being developed for WCF, abutting public streets. Required perimeter walls shall have architectural treatments including but not limited to faux windows, or awnings, covering a minimum of fifty (50) percent of each wall elevation; provided, the Director may determine a different type of perimeter treatment along property lines not abutting public streets for compatibility with the current uses of abutting properties.

60.70.35.18.

- D. For new WCF towers located on property that could be developed for another use concurrent with the tower operation, the tower and, if applicable, above-ground equipment building shall be placed on the lot so as to not preclude future development of the remaining portion of the site and to allow for conformance to site design, parking and other applicable standards. Any lot area not proposed for WCF development that is disturbed by site development activity shall be landscaped. The decision-making authority shall determine the type of landscaping based on the existing landscaped nature of the lot and abutting lots.
- E. For WCF towers located on property occupied by an existing use, the tower and, if applicable, above grade equipment building, shall be located shall be placed on the site so as to not preclude future redevelopment of the remaining portion of the site or future compliance with code requirements for a different use of the site.

19. Specific Development Standards – WCF in Public Road Right-of-Way. The following standards are specific to the installation of WCF in public road rights-of-ways on streetlights, excluding street lights on power poles, traffic signal lights, and high voltage power utility poles, and are in addition to the other development standards specified in this section of the Code:

- A. Installation of WCF on streetlights, excluding streetlights on power poles, traffic signal lights, and high voltage power utility poles shall not jeopardize the physical integrity of these structures.
- B. Antennas shall be flush-mounted or otherwise not exceed the existing diameter of the structure at the mounting point for the antennas. No mounted arm antennas are permitted.
- C. Antennas mounted on a structure shall not extend beyond the permitted height of the underlying zoning district.
- D. Antennas, including any mounting devices, shall extend no more than ten (10) feet above the existing height of the structure.

60.70.35.19.

- E. Antennas shall be painted to match the color of the structure.
- F. Replacement of the existing streetlight, traffic signal light, or high voltage power utility pole may be authorized, provided that such replacement is the same diameter as the original structure, that the replacement structure is intended to fully contain antennas and associated equipment, and that the height of the replacement structure is no greater than ten (10) additional feet in height than the original structure.
- G. Equipment cabinets shall be placed underground, unless it can be demonstrated that there is a physical obstruction to such placement. Physical obstructions include, but are not limited to, existing underground utilities, and too narrow right-of-way. In those instances, where a physical obstruction is demonstrated by the applicant to exist, the City may allow above-ground mounting of equipment to the structure, however, no at-grade equipment cabinet or equipment in the public road right-of-way, or on private property abutting the structure is permitted. The mounting of equipment to the structures shall conform to the following:
 - 1. The smallest antennas, equipment, and equipment cabinets to satisfy engineering requirements and service objectives shall be utilized.
 - 2. All cabling, mounting hardware, and equipment shall be painted to match the color of the structure.

60.70.40 Development Standards for Satellite Antennas. The following development standards shall apply to all satellite antennas in all zoning districts, except for satellite antennas and direct-to-home satellite services exempted by Section 60.70.20.1.F-G:

- 1. New satellite antennas shall be mounted on the ground or on building roofs only.
- 2. New satellite antennas shall not be mounted on lattice towers or guyed tower support structures.

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3. New ground-mounted satellite antennas shall be screened from view from abutting properties, or public right-of-way, or both in a manner that does not detract from the function of the antennas. Screening shall be done through vegetative landscaping, or sight obscuring fencing, or a combination of both, on all directions, except for the direction that the antenna is oriented for sending, receiving, or both. The decision-making authority shall determine the appropriate type and height of screening based on the area proposed for development, the nature of the surrounding development, and the proximity of the development area to this surrounding development.
4. New building roof-mounted satellite antennas shall be screened from view from abutting properties, or public right-of-way, or both in a manner that does not detract from the function of the antennas. Screening shall be done through the placement of the antennas behind parapet walls or other permanent architectural features.

60.70.45 Requirements for Non-Exempt Amateur Radio Facilities

1. Non-exempt amateur radio facilities may not be erected until a valid building permit has been obtained from the City of Beaverton.
2. Notwithstanding Chapter 30 of the Development Code, the following rules apply to non-exempt amateur radio facilities in existence on or before May 8, 2003:
 - A. Facilities constructed before May 8, 2003 under building permits validly issued on the date of construction are not subject to these regulations.
 - B. Exempt facilities that are proposed to be modified to become a non-exempt facility, shall acquire a new building permit from the City.
 - C. Facilities without permits from the City of Beaverton, Washington County, or Multnomah County shall acquire a building permit from the City.

60.70.50 Required Studies and Information. The following requirements for studies and information shall be provided in addition to the submittal requirements specified in the application checklist to be provided by the Director:

1. For new WCF towers, the following information is required to be submitted at time of application:
 - A. A visual impact report prepared by a licensed engineer or licensed architect shall be submitted. For purposes of this section of the Code, the extent of the adjacent area to be analyzed in this report shall be determined by the Director at the time of pre-application based on the type of tower proposed and the nature of the surrounding development. The visual impact report shall be comprised of:
 1. A written summary of the findings of the visual impact analysis.
 2. A to-scale (engineer scale measurement) vicinity map identifying in plan-view the location of the proposed WCF tower.
 3. A to-scale (engineer scale measurement) aerial plan showing in plan view the location of the proposed WCF tower and the location and type of adjacent development.
 4. A to-scale (engineer scale measurement) elevation drawing indicating the height, dimensions, type, design, materials and color of the tower and any on-ground associated equipment.
 5. A visual graphic simulation of the proposed WCF tower from northern, southern, western and eastern orientations inclusive of adjacent buildings, structures, natural features and public or private streets.
 6. Recommended methods to mitigate the visual impacts of the proposed WCF tower on adjacent properties.

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- B. For a new WCF tower, a coverage analysis report prepared by a licensed engineer or professional engineer with demonstrated experience in the preparation of coverage analysis reports specifying the search ring within which service is proposed inclusive of the location, height and frequency of existing and approved WCF, and addressing the quality of existing wireless service and new wireless service within the search ring.
- C. All WCF applications abutting or within residential, or multiple use zoning districts proposing exterior at-grade equipment shelters shall be accompanied by the equipment manufacturer's written noise specifications if these specifications are proposed to be followed. If the operational specifications are not to be followed, or if there are no specifications available, a written analysis prepared by a licensed engineer addressing conformity to the noise standards specified in Section 60.70.35.9 shall be submitted.
- D. Copy of the license application or received license from the Federal Communications Commission (FCC) or documentation that a license is not required. A copy of an approved license, or evidence of exemption shall be provided to the Community Development Department prior to the issuance of a building permit.
- E. Copy of the permit application or received permit from the Federal Aeronautics Administration (FAA), if applicable. A copy of an approved permit shall be provided to the Community Development Department prior to the issuance of a building permit.
- F. Copy of written authorization from the Oregon Department of Aviation, if applicable. A copy of the written authorization, if applicable, shall be provided to the Community Development Department prior to the issuance of a building permit.
- G. Copies of all environmental reports and assessments required to be submitted to the FCC or FAA for proposed WCF shall be provided to the City at their time of filing with these agencies. It is the applicant's responsibility to conform to all requirements of these agencies resulting from the submittal of the environmental assessments.

60.70.55 Temporary Uses

1. The Director may authorize a temporary WCF inclusive of needed equipment shelters and on-site improvements to facilitate continuity in service during the initial construction, repair, maintenance and/or replacement of permanent equipment. Temporary WCF shall be authorized through temporary use permit provisions specified in Chapter 40 (Applications). The authorization of temporary WCF shall be subject to the following criteria:
 - A. A temporary WCF facility shall be permitted to operate a maximum of ninety (90) days from the date of temporary permit authorization.
 - B. At the discretion of the Director a time extension not to exceed a maximum of ninety (90) days may be granted to facilitate continuity in service provided that a written request letter is submitted a minimum of thirty (30) calendar days prior to the expiration of the initial temporary use authorization.
 - C. The written request letter shall be submitted by an authorized representative of the service provider, shall specify the amount of the additional time request and shall explain the reason(s) for the additional time request.
 - D. Failure to submit the additional temporary use authorization request within the specified timeframe stated herein may result in a denial of the additional temporary use timeframe request.
 - E. All temporary WCF facilities shall be removed a maximum of fourteen (14) calendar days from the expiration of the initial or extended temporary use authorization.

60.70.60 Collocation Protocol

1. Purpose. The purpose of this requirement is to create a process that will allow providers to equitably share publicly available, non-proprietary information among themselves, with interested persons and agencies, and with the City. This collocation protocol is designed to increase the likelihood that all reasonable opportunities for collocation of wireless communication antennas on existing towers have been investigated and the appropriate information has been shared among providers. The City recognizes that collocation is preferable, where technologically feasible and visually desirable, as a matter of public policy, but that collocation is not always feasible for technical or business reasons. However, if all licensed providers are made aware of any pending tower or antenna permit requests, such disclosure will allow providers to have the maximum amount of time to consider possible collocation opportunities, and will also assure the City that all reasonable accommodations for collocation have been investigated. The Code creates strong incentives for collocation because proposals for collocation qualify for a less rigorous approval process in almost all zones within the City.
2. Applicability. Requirements for the collocation protocol apply only to new WCF towers constructed after May 8, 2003.
3. The applicant shall show proof satisfactory to the City that it has made reasonable inquiries at potential sites for collocation that would otherwise meet the applicant's need for signal coverage.

60.70.65 Abandoned Facilities

1. Criteria for Removal of Abandoned WCF Facilities. Abandoned wireless communication facilities inclusive of antennas and at-grade equipment shelters that are not operated for a continuous period of six (6) months shall be removed by the owner of the property on which the WCF is located or by the owner or lessee of the WCF within a maximum of ninety (90) day from the date of a written notice letter from the City. Failure to remove abandoned WCF within this timeframe is hereby declared a nuisance, and shall be subject to abatement under the provisions of local or state law.

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2. Multiple WCF Providers. If there are two or more WCF providers collocated on an abandoned tower, Section 60.70.65.A shall not become effective until all providers cease using the WCF for a continuous period of six (6) months.
3. Time Extension. Prior to the expiration of the ninety (90) day period stated in Section 60.70.65.A, the property owner and/or the WCF owner may request a temporary use permit for an additional ninety (90) day extension to provide time to find another user.